

Socrates *Mystagogos*

Initiation into inquiry

Don Adams

Socrates Mystagogos

For Socrates, philosophy is not like Christian conversion from error to truth, but rather it is like the pagan process whereby a young man is initiated into cult mysteries by a more experienced man – the mystagogos – who prepares him and leads him to the sacred precinct. In Greek cult religion, the mystagogos prepared the initiate for the esoteric mysteries revealed by the hierophant. Socrates treats traditional wisdom with skepticism, and this makes him appear ridiculous or dangerous in the eyes of cultural conservatives. Nevertheless, his skepticism is not radical: custom is not something on which we must turn our backs if we are to pursue the truth. Socrates assumes an epistemology and employs a method by which he induces his companions to begin the critical and self-critical process of philosophical inquiry, not ignoring conventional wisdom, but thinking through and reinterpreting it as they make constructive progress toward the truth. He provides conclusive and convincing arguments in support of controversial answers to some of the most important moral questions he poses.

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Preface

In ancient Greek cult religion, the mystagogos prepared the initiate for the hidden mysteries that would be revealed by the hierophant (see Burkert 1985, 285–90). The initiate is the “*mustēs*” (μύστης) – the one whose eyes are closed “*muō*” (μύω). The mystagogos (*mustagōgos*, μυσταγωγός) would lead (*agō*, ἄγω) the initiate to the sea for a ritual cleansing and then into the sacred precinct where the hierophant (*hierophantēs*, ἱεροφάντης) would make something holy (*hieros*, ἱερός) visible (*phantazō*, φαντάζω).¹ In describing cult initiation Aristotle employed the *mathein/pathein* (μαθεῖν/παθεῖν) distinction, saying that it wasn’t the former but the latter that was the function of initiation: the point is not to teach lessons or positive doctrine, but to have the initiate undergo some important experiences that put him in a special condition (Barnes 1984, 2392; Rose 1886, Fragment 15). So we must not confuse cult initiation with religious conversion: the mystagogos does not prepare the initiate to abandon current beliefs for new ones, but rather to experience current beliefs in a new way.

The cult role of the mystagogos isn’t a bad analogy for Socrates’ philosophizing. In dialogues like the *Charmides*, *Laches*, and *Euthyphro*, Socrates deals with people who are inexperienced in philosophy – you might say that their eyes are initially closed to philosophy, and in a way you might also say that he ritually cleanses them of their pre-conceived, and sometimes confused, notions of virtue: he refutes them. But just as cult initiation is not a form of conversion, so also Socratic philosophical initiation is not a rejection of common notions for peculiar new doctrines – as Aristophanes portrayed Socrates in *Clouds*. Socrates urges people to take conventional wisdom about virtue and how we ought to live more, not less, seriously. So in a way we might say that there is something fundamentally “preservative” or “conservative” about the philosophizing of Socrates mystagogos.

The one substantial disanalogy between Socrates and the cult mystagogos is that Socrates is a philosophical mystagogue without a hierophant. Socrates sincerely disavows knowledge of the virtues. If there is something “conservative” in Socrates’ focus on traditional values, then there is something “liberal” in his attempt to turn his initiates into their own hierophants. Each of us must make a good-faith effort to discover what is true, lawful, right, and holy.

Socrates mystagogos does not come easily into focus today because we tend to separate free-thinking liberals from dyed-in-the-wool conservatives. But in a culture that enshrines the command to “know thyself,” to comply with traditional values we must question those values. Out of pious reverence for his Athenian fatherland, Socrates urges his interlocutors to hold that what is lawful and holy cannot conflict with what is right and true.

Note

- 1 All translations are my own, except where noted.

Introduction

There are varying degrees of value in studying all the different Socrateses we have from his contemporaries and near-contemporaries, depending on the value of the author/texts involved. Xenophon gives us a kindly but conventional Socrates. Aristophanes gives us a fantastically ridiculous Socrates. Aristotle gives us a serious, although controversial, philosophical theorist. Plato gives us several different Socrateses: there's the intellectual midwife (*maia*, μαῖα) of the *Theaetetus*, the stoical hierophant of the *Phaedo*, the sober lecturer of the *Symposium*, and Socrates mystagogos in the *Charmides*. Rather than sifting through these versions of Socrates to discover the kernel of truth at their core, I plan to focus on just one version: Socrates mystagogos. I take no stand on how faithful this portrait is to the real Socrates, the son of Sophroniscus, of the deme Alopece, who was born in 470 or 469 and died in 399 BCE.

Part of the problem in studying Socrates mystagogos is that the pagan cult role of mystagogos does not really exist in modern religions.¹ We have little trouble grasping Xenophon's portrait, and even Plato's portrait of the deep thinker with abstruse views, because we have many examples of just such people. However, the liminal figure of the mystagogos does not come readily into focus, at least in part, because modern culture lacks prominent examples of this role.

Another reason Socrates mystagogos is difficult for modern scholars to see accurately is that we tend to read ancient texts with an eye to the *apparatus criticus* at the bottom of the page. We are sensitive to violations of the integrity of a text, and our default mode of operation is that of discovering the original text in its pristine state. However, if Julia Kristeva is right (for example in Kristeva 1980), then even if we did recover these original texts, we would find that they are always already impure mixtures descended from earlier impure mixtures and hence that every text is really an "intertext" stitched together from multiple sources. Socrates mystagogos is just such an "intertextual" figure whose primary appearances are in Aristophanes' *Clouds* and Plato's *Apology*. Aristophanes' Socrates is stitched together from multiple sources and, as I shall argue in chapter 1, put to a quite tendentious purpose. In the *Apology* Plato took up this Socrates – or at least part of him – and transformed him to, among other things, answer Aristophanes. So it is difficult to see Plato's Socrates accurately without comparing him with Aristophanes' Socrates.

2 Introduction

But the *Apology* is not the only dialogue in which Plato takes up this Socrates. I follow a practice common to many scholars of treating the following Platonic dialogues as closely related to one another: *Apology*, *Crito*, *Euthyphro*, *Charmides*, *Laches*, *Lysis*, *Hippias Minor*, *Ion*, *Protagoras* – and the following as somewhat less closely related: *Gorgias*, *Meno*, *Hippias Major*, *Euthydemus*, *Cratylus*.² It may well be that Plato wrote all the dialogues in the first group before he wrote any in the second group, but since I am not concerned about such historical issues in this book, I won't get into these difficulties. Furthermore, since my primary interest is the intertextual figure Socrates mystagogos, and because I plan to focus on only a few core philosophical features of this character, I will not give a systematic account of all those dialogues.

I hasten to add that I do not intend the analogy with the cultural role of mystagogos to be taken literally. I use it as Plato uses the cultural role of midwife in the *Theaetetus*, that is, as a means of focusing our attention on certain aspects of Socrates' behavior we might otherwise overlook, thus helping us avoid being misled by aspects we do see clearly. For example, Socrates asks questions, and so engages in inquiry (*skepsis*, σκέψις). In itself, this might lead us to see Socrates as a cynical skeptic aiming to undermine the confidence his interlocutors have in their hypotheses. The image of the midwife discourages us from taking this sort of line, suggesting instead that Socratic midwifery has every chance of validating a hypothesis if there is anything in it. Alternatively, we might take the apparent fruitlessness of Socratic inquiry as an invitation to look for some hidden agenda, some unconventional, speculative doctrines hidden behind a thick glaze of irony. Again, the image of the midwife discourages such an approach (unless, of course, the image of the midwife is itself part of the irony).

Of course, comparing Socrates to a midwife is also a joke, since midwives are women and Socrates is a man. Comparing Socrates to a mystagogos, however, would have been neither amusing nor surprising to Plato's audience,³ which is why I am not embarrassed at the fact that Plato never explicitly makes the comparison. In each chapter I point out a number of specific ways in which the image of the mystagogos nicely captures various facets of Socrates' philosophical behavior, but there is one overarching and central function of this image: the function of the mystagogos involves both preparing and leading the initiate. Socrates mystagogos both prepares and leads his interlocutors. The self-critical reflection Socrates induces in his interlocutors is bound together with the philosophical progress he makes with them. On the one hand, he is doing much more than provoking his interlocutors to accept their own intellectual unworthiness, but on the other hand, he is doing much less than developing or proving a philosophical theory.

My view of Socrates is derived from that of Gregory Vlastos, although I disagree with Vlastos on many details (compare Adams 1998; Adams 2009). The heart of my view is expressed in the title of my 1998 article "Elenchos and Evidence": Socrates should not be thought of as assembling inconsistent sets of claims but as considering the evidence. Socrates handles the evidence with a distinctive method (chapter 3), and Vlastos was right to call it "elenchos" (or "elenchus"). Like what

we call today “a scientist,” Socrates leads his associates by confronting them with, and rationally evaluating, evidence of the truth.

Chapter 1: Socratic skepticism

Ask, “Which of the two is king, logos or nomos?” and Socrates mystagogos – as presented in Aristophanes’ *Clouds* – will answer “logos,” while Aristophanes will follow Pindar in answering “nomos.” This accounts for much of Aristophanes’ ridicule of Socrates in *Clouds*. This portrayal of Socrates clearly conflates him with others, for example Anaxagoras; however, there is a deeper level of parody at work.

Nomos presents itself as authoritative. Conventional wisdom, for example, presents itself as time-honored truths we ignore to our peril. “Spare the rod and spoil the child” is a warning of bad results if we do not employ “the rod.” But authority is undermined when it is questioned because the act of questioning implies that it is sensible to look for an answer we do not currently possess. The primal act of Socrates mystagogos is the skeptical act: he cannot lead his companions in philosophical inquiry unless they are first willing to take his questions about virtue seriously and hence accept that conventional wisdom leaves something to be desired. From the perspective of someone who metaphorically swears fealty to King Nomos, the admission of ignorance we make when we take a skeptical attitude to nomos is a root of rebellion, which can, if unchecked, produce anarchy and chaos. Certainly there is tremendous comic potential in anarchy and chaos, and Aristophanes wrings every laugh he can out of both. But humor can contain and convey a very serious message. In the case of Aristophanes’ *Clouds* I argue that because he is deeply troubled by Socratic skepticism, Aristophanes makes Socrates look ridiculous precisely in order to ridicule him. If young people respond to Socrates’ questions by laughing, then they may resist the siren song of logos, and the authority of nomos will be preserved.

Plato takes up Socrates mystagogos in the *Apology* and answers Aristophanes. Plato’s version of Socrates mystagogos rejects the simple idea of a logos/nomos dichotomy. Metaphorically speaking, Socrates swears fealty to King Nomos, and yet on the authority of nomos he points out that we cannot escape our duty to follow the logos and to inquire into what nomos truly requires of us.

Chapter 2: Socratic epistemology

One of the first problems with which to confront a skeptic is paradox: how do you know that you do not know? In the case of Socrates, the proper paradox with which to confront him is whether he bases his questioning of nomos upon logos, because if he does, then we may ask the follow-up question: does he base his commitment to following the logos upon logos? I save this paradox for the conclusion.

The epistemological paradox I confront in chapter 2 involves what has come to be called the “priority of definition.” Socrates seems to insist on having an accurate definition of a virtue before he is willing to consider other claims about the virtue.

4 Introduction

This might seem to ruin the possibility of inquiry. While it may be reasonable to ask us to define our terms when we talk about virtue and living well, surely full analyses of the core concepts must come later in the game than the very first step.

Failure to appreciate Socrates' mystagogic function has marred the discussion of this problem. Socrates mystagogos leads his interlocutors from their current immature epistemic state to a more mature epistemic state with respect to the virtues. He repeatedly and explicitly relies on the truth and probative value of many pre-reflective beliefs regarding the virtues and how to live well. Socrates insists on the "priority of definition" only insofar as he assumes that a secure grasp of what each virtue is comes prior to an epistemically mature grasp of virtue more generally so that an admittedly insecure grasp of what virtue is necessarily entails that our current grasp of virtue is embarrassingly immature. This view is not paradoxical, it is mystagogic.

I suspect that some commentators who have dealt with Socrates' "priority of definition" have been overly influenced by their understanding of John Rawls' "reflective equilibrium" and have been too eager to assimilate Socrates' activity to Rawls'. Instead, I look to evidence we have for what we might call "folk epistemology" in Socrates' culture. I find not only "folk epistemic strategies" that fit Socrates' practice remarkably well, but which avoid epistemic paradox in simple but powerful ways and are eminently suitable for a philosophical mystagogue.

Chapter 3: Socratic method

It is in chapters 2 and 3 that I make my case for a robustly "constructivist" reading of Socrates. Socrates makes a good-faith effort to give convincing and conclusive refutations of many answers to his "What is it?" questions. He is so successful that he makes progress in discovering what the virtues really are. If we are to look for a modern parallel for Socrates' epistemology it is in confirmation theory regarding empirical hypotheses. If it is legitimate to speak of "the scientific method," then it is legitimate to speak of "the Socratic method," for they are closely related epistemically, and the latter is at least as relevant to modern epistemology as the former.

Since I defend a "constructivist" view of Socrates mystagogos, it is incumbent upon me to demonstrate what progress he makes. With respect to virtue (chapter 3) and law (chapter 4), Socrates not only provides convincing and conclusive proof that certain views are false, he also provides sufficient reason to believe that virtue is the knowledge of good and bad and that one ought always obey the law. But of course his position on both issues is mystagogic. He never pretends to have divine wisdom regarding either claim, although the fact that he has made a good-faith effort to discover the truth gives him grounds for hope that he has indeed made substantial progress.

Chapter 4: Socratic piety

My view that Socrates reaches positive conclusions is less controversial when we examine the *Crito*. Socrates refuses to escape with Crito because after

consideration the two of them have no good answer to the laws that condemn Socrates to death. But just as Rawlsian “reflective equilibrium” impedes the modern commentator’s ability to see Socrates’ distinctive method clearly, here it is Austinian “legal positivism” that gets in the way. Socrates would reject as impious an Austinian separation of the merit from the existence of a law. For Socrates, the pious reverence we owe to the state rules out the possibility of determining the content of a law without simultaneously determining what is right.

Socrates’ pious reverence for the fatherland clearly indicates that he is some kind of conservative (and so in some way *nomos* is his king), and this does indeed throw a monkey-wrench into the machinery of those who have tried to argue that Socrates is a precursor of the three modern heroes of civil disobedience: Henry David Thoreau, Mohandas Gandhi, and Martin Luther King. Here again Socrates’ actual position is thrown out of focus by comparison with a modern position. In this case the culprit is the liberal theory that the legitimate civil disobedient justifies her or his action by appealing to a standard of conduct that transcends law and the authority of the fatherland. Socrates’ view is much closer to a pre-modern, conservative view according to which there can be no such transcendent standard.

We gain a more accurate understanding of Socrates’ position if we take seriously the possibility of a pre-modern theory of legitimate civil disobedience according to which the humbly compliant “Who am I to disobey the law?” is the complement of the defiantly assertive “And who are *you* to disobey the law?” If there is no standard of conduct that transcends the authority of the fatherland, then *nomos* rules all, including those who manage to get themselves appointed to high office. By dropping the modern liberal assumption regarding legitimate civil disobedience, Socrates’ view comes easily into focus, and the appearance of tension between various things he says in the *Apology* and the *Crito* evaporates. Although I emphasize the distorting influence of certain modern assumptions, and that we should not compare Socrates with Thoreau or Gandhi, I argue that there is a genuine similarity between Socrates and Martin Luther King. Socrates’ view is one that we not only can but should take seriously today.

Notes

- 1 Early Christians were well aware of the pagan role of the *mystagogos* (Clement *Exhortation to the Greeks* 2). Occasionally they associated this role with heretical gnostics (Irenaeus *Against Heresies* 1.21.1), but sometimes they appropriated it to refer to apostles and evangelists (Origen *Excerpta in Psalmos* 36:21) or to Christian teachers in general (Theodorus Heracleensis *Fragmenta in Matthaeum* 25:24). Christian baptism is sometimes referred to as a *mystagōgia* (Basil the Great *On the Holy Spirit* 75), as is the eucharist (Gregorius Nazianzenus *Orations* 36.2).
- 2 See, for example, Fine (2003), 1, note 1.
- 3 Echoes of cultic ritual are common in Greek literature (Dieterich 1893; Adami 1900, Thompson 1935; Tierney 1937; Edmonds 2006). Aristophanes’ portrait of Socrates in *Clouds* is a prominent example (see especially Dieterich 1893 and Edmonds 2006).

1 Socratic skepticism

Introduction

“Athenian men, I respect you and love you but I will be persuaded more by god than by you, and as long as I live and am able, I will not stop doing philosophy and exhorting you” (*Apology* 29d2–5).¹ With these words, Plato’s Socrates defies the jury that will decide whether he lives or dies. Perhaps we should link Socrates with modern heroes like Gandhi and Martin Luther King as a champion of the individual’s right to resist the forces of collective conformity. And yet in another dialogue Plato puts the following in Socrates’ mouth: “Are you so wise that it has escaped your notice that your fatherland is more honorable, reverend, and holy, and that it is held in higher esteem by gods and by men with sense than your mother and father and all your ancestors?” (*Crito* 51a7–b2).² Here the individual seems to get lost in subservience to mother and father, the weight of ancestry and heritage, the duty to heed “men with sense,” the power of the gods and the ultimate fact that even the gods bow before fatherland. If his defiance in the *Apology* seems individualistic or libertarian, in the *Crito* he seems beyond Tory. But then in the *Euthyphro* he seems to portray himself as an ignorant and apolitical innocent:

Where are you going, my companion? By leaving you are taking away the great hope I had of learning from you what is and what is not holy, and of escaping the indictment of Meletus. I hoped to show him that because of Euthyphro I have become wise in matters pertaining to the gods, that I will no longer ignorantly say novel things about them, and that I’ve changed my ways and will live a better life.³

(Euthyphro 15e5–16a4)

This docile Socrates strains credulity if we have been focusing on either the *Apology* or *Crito*.

In this book I hope to prove that these three Socrateses – (i) the defiant individual, (ii) the fervent patriot, and (iii) the humble inquirer – are united in the ancient Greek cult role of the mystagogos. The mystagogos (i) staunchly defies anyone who would deter the initiate from his holy path, (ii) dutifully accepts cult service to the god and wholeheartedly applies the rules of ritual purity and impurity, and (iii) humbly accepts that he is not the hierophant and so has no wisdom to teach.

The primary texts in which Socrates mystagogos appears are Aristophanes' *Clouds*⁴ and Plato's *Apology*; the latter explicitly draws a link between the two texts (see *Apology* 18d2, 19c2–5). Socrates is a *cause célèbre* employed by both Aristophanes and Plato to advance their own positions in a cultural war. It will be difficult for us accurately to grasp either version of Socrates without putting them together.⁵ Aristophanes fires the first salvo, using Socrates for target practice on liberals; Plato later takes up this Socrates and turns him into a kind of liberal hero, but a hero who re-conceives the two sides as a way of potentially ending the hostilities. Explaining and defending this view is my task in sections 3–5 of this chapter (see Adams 2014). In sections 3 and 5 I present the positions of Aristophanes and Plato respectively, and in section 4 I explain in what way I see these two as participating in a cultural war.

Before I can get to Aristophanes' Socrates, though, I have a substantial amount of work to do. Aristophanes is a comic playwright, and that gives us two good reasons for suspecting that we will not find any one particular point of view in *Clouds*: (1) the play is a work of fiction designed to entertain an audience, not a political or philosophical treatise, and (2) the work is designed to make people laugh, and so we can be sure that the author is trying to be funny. But the view that Aristophanes was neutral in the cultural war is only one of the positions I must argue against. Many have argued that Aristophanes is on the right wing of Athenian political disputes, and so in section 3 I explain what is distinctive in my view that Aristophanes is a kind of "conservative." Others see Aristophanes as quite liberal, and still others see Aristophanes as disrupting or subverting all determinate (or "monological") outlooks. Refuting these views is more difficult, and so I spend sections 1 and 2 laying the groundwork for my arguments in the remaining sections.

The first hurdle I face is the tendency to assume that comedy is politically neutral or liberal. Surely many comedians are quite happy to poke fun at anyone, regardless of their political affiliation, but humor can be used to advance a particular point of view. In section 1 I point out that humor can be used to support and defend existing social relations, which is just what Aristophanes does, as I argue in section 3.

The second hurdle I face has gained tremendous support in recent decades from scholars influenced by the work of Mikhail Bakhtin. Aristophanes' *Clouds* was originally produced for the City Dionysia, and so both in its comedic content as well as its festival context there seems something profoundly "carnavalesque" about the humor. If there is something inherently liberal or subversive in "carnavalesque" humor, then I am wrong to interpret *Clouds* as monologically conservative. In section 2 I argue against extending Bakhtin's sense of the "carnavalesque" to ancient cult festivals in general, and to Aristophanes' *Clouds* in particular.

Section 1: Subversive and unversive transgression in comedy

Since the antonymic prefix in English is "un-" (as in "unhappy"), I define "unversive" to be the antonym of "subversive." Subversive transgression is an attempt

to “turn” (Latin *vertere*) or change a norm by violating it, thereby presenting it as violable and undermining the hold it has on those it is designed to govern. Rosa Parks’ refusal to give up her bus seat for a white passenger is a famous case of subversive transgression. In theory at least, white racists could have engaged in unversive transgression in an attempt to preserve existing segregation laws; for example they could have publicly violated a segregation law in a place where the law was not being vigorously upheld precisely in order to draw public attention to – and provoke the anger of white racists at – the fact that the law was not being upheld. Law enforcement agencies continuously engage in unversive transgression by sneaking proscribed articles through airport security. They do so not to undermine airport restrictions, but for exactly the opposite reason: by exposing looseness in security, they hope to tighten it. In general, where complacency, inattention, flagging ardor, growing liberalism, and so on can lead to weakening the grip norms have on our choices and actions, unversive transgression may be an effective “wake-up call” and a means of reinvigorating compliance.

Blackface minstrelsy is a premier case of unversive humor. It was transgressive, both of color and gender norms, but its function was not to undermine the norms it transgressed; rather it reinforced those norms by transgressing them on stage in exaggerated and ridiculous ways. Lott has argued that although blackface minstrelsy “arose from a white obsession with black (male) bodies which underlies white racial dread to our own day, it ruthlessly disavowed its fleshly investments through ridicule and racist lampoon” (Lott 1993, 3). Lott is quite clear that this is not the end of the story, but it is – and must be – the beginning. To miss the racism of blackface comedy, to blind ourselves to the role blackface played in creating, defending, and propagating race hatred and all the heinous acts that follow in its wake, is – to say the very least – a hermeneutic error. Blackface certainly has been used to question and subvert racist norms (for example in the 2000 Spike Lee film *Bamboozled*), but any interpretive strategy that failed conclusively to show the unversive nature of blackface humor would be refuted via *reductio ad absurdum*.

Unversive transgression animates much social satire. “The funeral of a neighbor terrifies an anxious and envious man, and the fear of death forces him to stop and think about his own life; so also the disgrace of others often frightens away the vices of an impressionable soul” (Horace, *Satires* 1.4.126–129).⁶ Rather than describe and praise virtue, a satirist might instead focus on the ridiculous results of folly and vice in order to provoke us to self-reflection and moral improvement, where by “moral improvement” is meant a reinvigorated commitment to traditional moral norms. A satirist may portray serious transgressions of existing norms, and in doing so may violate norms of verbal decency (for example explicitly describing acts not discussed in polite society in language not used in polite society), but these virtual and actual transgressions are unversive because their function is to support or reinforce existing norms (although of course it is always possible for the satire to get away from an author and become subversive).

It is important to remind ourselves of the difference between unversive and subversive transgression so that we avoid fallaciously inferring that an author is being subversive simply because she or he is being transgressive. Mikhail Bakhtin famously argued that the transgressiveness of medieval carnivals was

profoundly subversive of certain cultural norms: “laughter demolishes fear and piety” (Bakhtin 1984, 119). Despite the many analogies between the carnivals discussed by Bakhtin and the festivals of Dionysus for which Aristophanes’ plays were produced, it would be a fallacy to assume that Aristophanes’ *Clouds* is subversive in ways that Bakhtin argues Rableis’ *Gargantua and Pantagruel* was subversive.⁷ The cultural contexts are vitally important. In the context of Christian moral and religious norms it is difficult for transgressive bawdy humor to be anything but subversive. However, in a pagan culture whose pantheon included such gods as Hermes, Aphrodite, and Dionysus, and whose religious festivals included sacred rites for those divinities, transgressive sexual and scatological humor may be thoroughly pious and unversive.

The fallacy of inferring subversion from transgression is committed by Storey in the very first paragraph of his introduction to Peter Meineck’s translation of *Clouds*, *Wasps*, and *Birds* (Storey 1998, vii). Storey likens Aristophanic comedy to “the outrageous sexuality of *The Rocky Horror Picture Show*.” No doubt many transgressions of a “sweet transvestite from Transsexual Transylvania” are deliberately subversive of 1970’s English cultural norms. However, certain kinds of transvestism were integral to a number of ancient Greek religious rites.⁸ We cannot, therefore, assume that transvestism signifies the same kind of transgression in Aristophanes’ culture that it does in ours.

Something similar must be said of Jeffrey Henderson’s view that “Old Comic festivals were organized protest” (Henderson 1996, 12). Linking “satire and partisan criticism” with “carnival, *komos* and iambic poetry,” Henderson takes it as “striking” that such “public airing of minority views; promotion of the concept of society as inclusive and suprapolitical; and criticism of those holding power” would be tolerated, much less endorsed, by the state. He takes this as evidence of the “self-confidence” of Athenian democracy in that it did not fear such subversive behavior (compare also Bowie 1993, 10). What Henderson overlooks is that his *modus ponens* might be another’s *modus tollens*: the fact that Old Comedy was state run and produced as part of rituals to Dionysus suggests that in the main, at least, it was not subversive at all. Comedy has subversive potential, but we mustn’t lose sight of the lesson Albert Brooks learned while making his 2006 film, *Looking for Comedy in the Muslim World*: “Polish jokes work everywhere” (Jacobs 2012). Brooks revealed that the Hindus in his film crew made jokes about Sikhs and that a Sikh cab driver made a joke about Muslims. At this point Brooks had his epiphany, “I get it now. I saw the hierarchy. So it seems to me that everywhere on the planet somebody is talking about someone else.” Ridicule is a prominent function of making someone look ridiculous, and this function may be employed by people higher in a social hierarchy against people beneath them precisely in order to maintain and even reinvigorate the hierarchy.⁹ Humor may be unversive.

Section 2: Unversive transgression in Greek cult festivals

Aristophanic comedy transgresses norms of ordinary decency, but so do a number of pagan cult festivals. Before we turn to the details of *Clouds*, we should first

look at the festival context to see to what extent we can expect subversive or unversive content in festival humor.

License animates many Greek festivals, not just the Dionysia. During the Kronia, for example, slaves violate cultural norms by joining their masters in a sumptuous banquet and then running riot through the city (Burkert 1985, 231). As slaves are temporarily liberated in the Kronia, so also women are temporarily liberated in the Skira. Are these attempts on the part of oppressed groups to throw off the bonds of oppression? Probably some slaves ran away during the Kronia, but most dutifully returned to their masters the next day. The fact that these festivals were repeated yearly for a very long time suggests that if the celebrants thought they were subverting the social order and helping to end social inequality they were profoundly deluded. We might adapt a claim attributed to Emma Goldman and say that if the Skira and Kronia really changed anything, they would have been made illegal.

The same is true of festivals involving the transgression of boundaries and gender norms. In festivals for Artemis, for example, girls not only leave the women's quarters of the home, but they leave the city entirely, don bear skins, and wear phalloi. Is this an early version of feminist "girl power"? Given that such rituals had been repeated literally from time immemorial, and that as far as we know, after every single repetition the girls went back to their culturally assigned stations, Burkert is on solid ground when he says that through such "grotesque negation, a person is led to accept his or her role" (Burkert 259, compare 151).

Building into the festival calendar regular transgressions and inversions of traditional norms has the effect of maintaining existing relations of authority and domination (257, compare 246–50). As the negative pole in a magnetic field is partly definitive of the magnetic axis and is constitutive of the field's stability, so also the ritualized transgression of social norms is partly definitive of those norms by way of antithesis, and its predictable repetition helps constitute and cause the stability of those norms (compare 79). "What is the complement of an apple?" is a question with no wrong answer. But if you grow up in a culture that repeatedly enacts uncanny rituals in which apples are temporarily displaced by oranges, then for you the question will have one obviously correct answer. By framing the substitution of the orange for the apple as temporarily going against the norm in obedience to awesome, divine powers, we do not undermine the normativity of the apple; rather we learn in what sense the apple/orange pair is normative (and consequently we might try to convince ourselves that a grape is a kind of apple and a banana is a kind of orange). We mustn't confuse the transgression of existing norms with the subversion of those norms. The ritual framing of an act as transgressive is a means by which dominant norms dominate.¹⁰

This is the backdrop against which we should consider the scurrilous laughter involved in several cult festivals, including the festivals of Dionysus for which Aristophanes' plays were presented. John Winkler has argued that there is something subversive in the scurrilous laughter of women in festivals such as the Thesmophoria, the Skira, and the Adonia (on the Adonia see Reitzammer 2005 and 2008). It may be that the quickly wilting garden of Adonis is a penis metaphor that

is decidedly unflattering to men and is, by implication, a subversively rude commentary on Greek patriarchy (compare Winkler 1990, 205–6). And yet we must also consider the possibility (explicitly mentioned by Winkler on 206) that such a view is a result of distortion introduced by men who assume that everything is about them.

It is an understatement on Winkler's part to call it a mere "possibility" that the many cult festivals celebrating grain (and fecundity more generally) really were celebrations of "female power over life and sexuality." The cults of Aphrodite, Hera, Demeter, and Artemis are prominently connected to sexuality and procreation, and women play prominent – or even exclusive – roles in their festivals (Blundell 1995, 160–9). The publicly funded and celebrated rituals connected to these deities crucially involve women not merely as celebrants, but as leaders of the celebrations. Without ignoring the role that erect penises play in procreative sex, we must consider the simultaneous possibilities that (1) the female-only festivals associated with these deities are really not about men, that (2) these festivals are ancient and venerable celebrations of the obviously crucial role women play in sustaining the life of the community, and that (3) these festivals are utterly unversive.

The scurrilous laughter of women in some of these Greek rituals traces its history at least as far as Iambe in the *Hymn to Demeter*. Seemingly inconsolable at the loss of her daughter to Hades, with veiled face lowered into her hands Demeter sits quietly on a humble seat thoughtfully provided by Iambe. Both women sit quietly for some time, but eventually Iambe breaks the silence with jokes; she gets Demeter to smile and laugh (2.204). Modern orthodoxy has been that laughter is at best unrelated to the healthy progress of grieving and most likely is a symptom of unhealthy denial (compare Bowlby 1980). However, a growing body of research validates Iambe's wisdom and indicates that certain forms of laughter, as well as other positive emotions (for example, gratitude, interest, love), can reduce distress and help undo negative emotions in the wake of aversive events (compare Keltner and Bonanno 1997; Fredrickson and Levenson 1998). One specific finding that seems to me to be directly relevant to Iambe's role in Demeter's grief is that laughter can help a grieving person by "increasing continued contact with and support from important people in the bereaved person's social environment" (Bonanno and Keltner 1997, 134). Demeter doesn't "cheer herself up," she doesn't tell herself jokes; her caring and thoughtful companion jokes with her and gets the two of them laughing together. It seems to me highly significant that the ritual reflections of Iambic humor (for example in the Adonia) do not leave women isolated, acting out Demeter's lamentation and laughter in private, but instead involve groups of women lamenting and laughing together.

We should, therefore, take seriously the possibility that the quickly wilting garden of Adonis is not about men at all, but is rather a ritual expression of anxiety women can feel regarding pregnancy.¹¹ How many Greek women mourned the loss of a daughter or son abducted by Hades? How many experienced, or had a relative or friend who experienced, a "quickly wilting" pregnancy in the sense of a miscarriage or the death of a newborn baby? Perhaps some jealous goddess

was to blame. If women's lamentations and tears over the wasted fruits of sexuality warm the goddess's heart, then they freely and loudly offer their cries in the hopes that her lethal rage will be appeased. The soothing, communal laughter is a sign that the trauma is in the past and that the future is reproductively auspicious (Blundell 1995, 38).

If this is correct, then we should see in these highly gendered rituals a profound anxiety that is not gendered at all: the awful prospect of "an end with no future" (Burkert 1985, 58). After a ritual sacrifice, for example, the community nourishes itself on the edible parts, but the inedible bones are not discarded; rather they are carefully arranged so as to reconstitute the animal in effigy. The sacrificed animal can never live again, so if the community is to have a future, the end of this particular life cannot be allowed to signal the end of all food animals. The same anxiety underlies fears surrounding pregnancy: miscarriages, still-born babies, and children who die young provoke anxiety that the community might forever lose its reproductive potency. Hence, the goddess of childbirth must be a perpetual virgin – that is, a goddess whose reproductive potency never diminishes (Blundell 1995, 29–31). Unlike the non-sexual virginity of Athena, Artemisian virginity is sexualized (Burkert 1985, 150–1), which is why she is dynamically paired with Aphrodite (for example in the Hippolytus myth). The perpetual virginity of Artemis is not to be perpetually emulated; rather it is something in which the community must continually participate if it is to maintain an ever-renewing source of life. In celebrating Artemis maidens wear phalloi, and by doing so they gain familiarity with erect penises so that they enjoy, or at least tolerate, them sexually. The thought "I lack a phallus" might never occur to a girl, but when she takes off the phallus after wearing it in a festival to Artemis (Burkert 104), it just might. Similarly, bawdy and scatological humor can help overcome squeamishness or disinclination regarding penetrative sex and facilitate girls' acceptance of heterosexual intercourse. Such rituals help establish hetero-normativity, encouraging male arousal and conditioning females to be receptive to penetrative sex.

We mustn't confuse the perpetual virginity of Artemis with the perpetual virginity of Mary. The later indicates the possibility of an everlasting life that is unrelated to sexuality. Sexual license transgresses and subverts Marian virginity because sexual pleasure has a strong tendency to undermine our commitment to purely spiritual as opposed to bodily goods. Atonement, penance, and spiritual rededication are called for when one transgresses Marian virginity; sexuality endangers salvation. Sexual license transgresses but does not subvert Artemisian virginity: pagan girls do not seek atonement for having sex, they seek only appeasement to calm Artemis' deadly wrath. Artemisian virginity is a repudiation of sexual intercourse, but not of sexuality or *erōs*. Without sexual license, Artemisian virginity would kill the community in one generation; but without Artemisian virginity, sexual license would grow increasingly unproductive (or un-reproductive) and the life of the community would dwindle away. Just as surely as Zeus and Poseidon are saviors of ships (*sōtēros*, σωτήρ, Strabo *Geography* 9.1.15; *sōtēra*, σωτήρ, Homer *Hymn to Poseidon* 22.5), children are saviors (*sōtēres*, σωτήρες) of a man's hearth (Aeschylus *Libation Bearers* 264): offspring, and hence heterosexual

intercourse, are not antithetical to salvation; they are intimately connected with, and even necessary for, salvation. In stark contrast with Christianity, pagan sexual and scatological humor is tinged with salvific hope. Devotion to Aphrodite transgresses against Artemis, and devotion to Artemis transgresses against Aphrodite, but both transgressions serve the dominance of reproductive hetero-normativity, and so together they are unversive transgressions.

Maidens wearing phalloi is transgression without subversion. The most respectable of conservative matrons proudly accept leading roles in festivals that involve various kinds of sexual inversion precisely because these transgressions are unversive. Sex is certainly “dirty” for such matrons – one must clean up after sex before approaching a sacred space – but this is ritual and not ethical taint (the latter derives neither from sex nor *erōs*, but from a lack of virtue; Dover 1974, 66–9, 205–16). Hence scatological humor is dynamically paired with sexual humor, neither of which is to be *utterly* repudiated; they are merely inappropriate or embarrassing under certain circumstances. Various rituals regularly enact this hetero-normativity, and the ritual calendar structures social as well as personal lives accordingly.

Hence, we must not be misled by the transgressive license of the Dionysian festivals for which Aristophanes’ plays were produced. The fact that certain topics or targets of humor that are normally off limits are fair game during the festival does not entail that festival comedians are “equal opportunity offenders” and hence are politically neutral or liberal. It was not comedy’s job “to make fun of the city” (Bowie 1993, 10); it was comedy’s job to entertain people and get them to lighten up, creating a general feeling of enjoyment that was conducive to the bibulous and sexual indulgence in which it was the citizens’ religious duty to revel. Making fun of prominent individuals can serve this function, but making fun of the city is quite a different matter, one that pious citizens will find offensive.¹² Given the fact that state-sponsored festivals have “the effect of maintaining existing relations of authority and domination” (Burkert 1985, 257), we have every reason to expect that comedy was designed to be profoundly conservative of cultural norms. A “cultural conservative” supports this causal superiority of *nomos*: time-honored *nomoi* structure our lives rather than allowing us freedom to choose how, which, or whether *nomoi* structure our lives.

Section 3: Aristophanic conservatism, Socratic liberalism

Aristophanes was just such a “cultural conservative:” his comedy underscores, rather than undermines, the causal superiority of *nomos* (compare Hammond 1986, 427). I take no stand on whether he was a “political conservative” in the sense that his sympathies lay with the pro-oligarchic faction and against the radical democrats associated with Perikles.¹³ I am not arguing that (1) Aristophanes opposed democracy and favored oligarchy, or (2) opposed the radical democracy of his day, or (3) aimed to oppose the abuses of power by demagogues. Nor am I arguing that Aristophanes was a “social conservative”; I take no stand on the view that (4) he was a champion of the rural classes or (5) sympathized more with

the wealthy than with the poor or the middle class. In addition, I am not arguing that Aristophanes was “stylistically conservative,” that is that (6) he clung to older styles and eschewed innovation. He was a “cultural conservative,” but he was an innovative writer. Finally, with special reference to *Clouds*, I also do not think that (7) Aristophanes’ viewpoint can be identified with the character of “Right” or that (8) he intended to champion traditional forms of education as opposed to newer models (nor do I think he was searching for some third alternative, Nussbaum 1980, 43–6, 96–7; 1985, 239–40).

I am largely in agreement with the apolitical interpretations of Dover and Halliwell.¹⁴ To some extent, Aristophanes finds Socrates funny simply because he is so sincere and serious.¹⁵ However, both Dover and Halliwell proceed injudiciously with their arguments. Dover, for example, goes too far when he imputes to Aristophanes “a fundamental irreverence which sees the ludicrous side of *everything*” (Dover 1968, lvii, emphasis added), and Halliwell lets his argument get away from him when he claims that Dionysiac festivity “entitled [a comic playwright] to denigrate and attack *with impunity*” (Halliwell 1998, xlii, emphasis added).¹⁶ We should be surprised if we found that state-sponsored Dionysiac festivity allowed anyone to act with true impunity. The references to Aeschylus’ prosecution for revealing the Mysteries are not incredible, and from this we should infer that even when there were no explicit censorship laws Athenians probably did not take the stage to be a space of utter license (compare Adkins 1970, 17–18). In addition, entertainers are more restricted by the bounds of successful entertainment than by the threat of prosecution. An audience that has come to see a comedy expects to be entertained with a genuinely funny script; it is ok to insult them as long as the insults are funny, but a writer must be careful not to offend the audience. Aristophanes’ comic jibes are not restricted to one social class, age, or gender, but he does not treat all cultural norms as ridiculous. If we look more closely, we’ll see that Aristophanic transgression is decidedly unversive, not subversive.

The mistake made by Dover and Halliwell is common. From the fact that the natural numbers are infinite it does not follow that they are unbounded: by focusing on the unlimited side we turn a blind eye to the boundary right in front of our faces. Aristophanic humor knows no boundaries along several dimensions (for example age, sex, class), but from this it does not follow that Aristophanes sees everything as ridiculous or that he makes jokes with utter impunity. In Aristophanic comedy, people generally are short-sighted, selfish, venal, and stupid. We mustn’t let this generalized misanthropy blind us to what is never ridiculed: certain social norms. Left to themselves, short-sighted, selfish, venal, and stupid conservatives will ruin society; short-sighted, selfish, venal, and stupid liberals will do a quicker and more thorough job of it. From this misanthropic point of view, people are the problem and cannot be looked to for any solutions whatsoever. What holds society together is not our alleged virtue or our misguided problem-solving logistical ability; our salvation lies in one thing and one thing only: the causal superiority of *nomos*.¹⁷ Conservatives stupidly try to enforce the dominance of *nomos*, and they inevitably do a venal and ridiculous job. Liberals stupidly try to invent new *nomoi*, and they inevitably do a venal and ridiculous

job. From the conservative point of view according to which our only salvation lies in the causal superiority of *nomos*,¹⁸ the latter is far more ridiculous.

Noticing Aristophanic misanthropy helps us avoid a particular fallacy. From the fact that the interactions between characters in *Clouds* are “mutually destabilizing,” we might fallaciously infer that the work is “fundamentally ambivalent” (Platter 2007, 83). On the contrary, the “mutually destabilizing” interactions of the characters reveal that the work is unequivocally conservative: a misanthrope finds everybody to be ridiculous, which is precisely why our salvation lies not in people, but in the causal superiority of *nomos*. In the conflict between *Dikaïos* and *Adikos*, for example, *Adikos* wins, but only in a ridiculously farcical manner, that is by pointing out that the majority of audience members are *euruprōktoi* (εὐρύπρωκτοι) and hence that they live in a morally topsy-turvy world, making *Adikos* (that is “Wrong”) right (lines 1088–1102). This does not valorize *Adikos*; rather it serves simply to spread the shame around (including the audience itself in this ridicule) in perfect concord with generalized misanthropy. So when *Adikos*’ success is besmirched by association with Socrates (Platter 2007, 83), we do not have evidence of *destabilizing* ambivalence; we have more of the same generalized misanthropy that holds everyone, although not everything, up for ridicule.

We see the stable and unequivocal cultural conservatism in *Clouds* by examining (1) the structure of the plot, (2) the conclusion, and (3) the details of the jokes. Obviously, with respect to (3), I cannot discuss all the jokes; however, a careful analysis of several jokes reveals the unversive nature of the comedy. Let’s begin, though, with the plot.

The plot of *Clouds* tells the story of a man who is economically and socially well off so that neither he nor his son has to work for a living (Dover 1968, xxvii; Bowie 1993, 104). He borrows at least two substantial sums of money for luxury items (lines 21–31). Instead of simply paying off his debts, he plans to resort to legal battles and verbal trickery (lines 94–118). He enrolls his son in Socrates’ school and has him reject the “better argument” (*ho kreissōn logos*, lines 113, 882–3, 893–5, 990) so that he can shamelessly take advantage of his creditors, who had done him friendly favors in lending the money in the first place (line 1216), and in court defraud them of the money that is theirs by right. Shamelessness chases away shame when the son uses his new Socratic skills to defend striking his own father (line 1325) and threatening to strike his own mother (line 1443). Only after suffering at the hands of his son does this short-sighted, selfish, venal, and stupid¹⁹ man learn his lesson that if we let our children grow up this way, then we really do deserve all the ill treatment we receive from them (line 1439). But he has learned his lesson too late: in the end he is worse off than he was before, and much worse off than he would have been if he had shunned luxury and focused on honest work, following the straight and narrow path of Right (Nussbaum 1980, 78–9, 96; Bowie 1993, 111; Newell 1999, 110). This should sound utterly familiar.

Hesiod, *Works and Days* (WD) 27–32: O Perses, store this in your heart and do not let that mischief-loving Strife turn your heart away from work,

watching and listening to battles in court. Little time for court battles does he have who has not stored up enough food for the year.²⁰

WD 213–18: O Perses, heed right and do not strengthen *hubris* [ὑβρις], for *hubris* is bad for us lowly mortals. Not even a prosperous man can easily bear it; instead he is crushed when he is touched by blind folly. The better [*kreissōn*, κρείσσων] road is to go on the other side towards what is right, for Right defeats *Hubris* in the end, a fool learns this only by suffering.²¹

WD 320–26: Property is not for seizing, god-given is much better. For if someone takes great wealth by the force of his hands, or plunders it by his slick tongue – as often happens when gain deceives someone’s mind and shamelessness chases away shame – the gods easily sap his power and waste his household, and prosperity attends him for only a short while.²²

If Hesiod plays a central role in your culture’s traditional “wisdom literature,” and you happen to be a fifth-century comedian familiar with Socrates and the sophists, *Clouds* practically writes itself.²³ In the structure of its plot, *Clouds* is comically unversive: point by point we see before us someone who violates good old-fashioned Hesiodic wisdom, and we laugh at his predictable comeuppance. By our laughter we signify our collective cognitive superiority: because of our inherited wisdom, we know more than self-proclaimed and wanna-be know-it-alls like Socrates and Strepsiades.

The overall plot is even less surprising if we remind ourselves of the story about Thales being so absorbed in his astronomical research that he failed to see what was right in front of his feet. His tumble into a ditch greatly amused a nearby old woman who pointed out the ridiculousness of directing one’s intellect to what is impractically far away while turning a blind eye to things that can actually trip you up (Diogenes Laertius 1.34). The story Aristophanes tells paints Socrates in this light.

The conclusion helps stabilize this meaning. Two shocking violations of piety change Strepsiades’ view of Socrates and his school/temple: (1) father beating (line 1325) and (2) the threat of mother beating (line 1443). Strepsiades burns the place down, explicitly citing two more forms of impiety as justification: (3) *hubris* against the gods (line 1506) and (4) injustice against the gods (line 1509). The fiery conclusion happens almost at the very end of the play in a mere 16 lines (1493–1509). In that short passage, Strepsiades’ words do nothing but support the meaning of the play drawn from the overall plot, which is that the destruction of Socrates’ school/temple (the *phrontistērion*, φροντιστήριον, thinking-shop, line 94) is the inevitable *nemesis* (νέμεσις) for his impiety. If the text is to destabilize this meaning, it must do so in the remaining lines; this is a heavy burden to place on just 11 Greek words, 2 of which are particles.

In fact, there are really only 2 words on which to base a destabilizing reading of the conclusion: the repeated “*apoleis*” (ἀπολεῖς) of a disciple at line 1499 and Chaerephon’s “*katakauthēsomai*” (κατακαυθήσομαι) in line 1505. Meineck’s translation gives the destabilizing reading its best chance, translating “*apoleis*” as “you are killing us” and “*katakauthēsomai*” as “I’m suffocating!”

Properly emphasized, these words could throw sympathy toward the victims of the arson.²⁴

But surely the text does not emphasize these words – there simply isn't time for that. The abrupt ending gives every indication that this is a final, uproarious punch line and hence that Socrates and his disciples are being given the back of the author's hand. In the last seconds of the play we probably should imagine disciples running around cartoonishly, yelling and bumping into each other. "You are killing us" is lexically possible but not very funny. Aristophanes uses the same word as a comic exaggeration at *Acharnians* 470 and also at *Clouds* 892–3, so it's likely that he's using it this way here. The audience would be more likely to laugh if they took "*apoleis*" with the financial, and hence venal, connotation of bankruptcy: "You will ruin us!" Next, it is too much of a stretch to render "*katakauthēsomai*" as "I'm suffocating!" First, the word has to do with burning, not breathing; second, the prefix *kata* (κατά) clearly makes it a comic exaggeration. What would be funnier than "I'm suffocating!" would be for Chaerephon to be running around – not on fire – shouting in a high-pitched voice, "I'm going to burn to a crisp!"

Comedy is a harsh task-master: to win the competition, an author mustn't overlook any opportunity to get laughs and must pull out all the stops at the end. Arousing sympathy for burn victims choking for breath would be a sobering development, not the sort of over-the-top hilarity that leaves them rolling in the aisles with laughter. Aristophanes did not win the competition, but we have no reason to think he deliberately tried to undermine his chances. A comic reading of the conclusion stabilizes the conservative reading of the play: the free-thinkers are getting exactly what they deserve for daring to question *nomos*.²⁵

What shows Aristophanes' particular genius in this play is that its conservatism is played out not only in its conclusion and in the overall structure of its plot, but also in the details of its jokes.²⁶ The clearest example of this is the chicken joke at lines 659–66. Socrates stops Strepsiades from following linguistic custom and using "*alektruōn*" (ἄλεκτρούων) to refer to both male and female chickens. Instead, Socrates insists on using "*alektruōn*" (following third declension masculines) exclusively for male chickens, and he invents the word "*alektruaina*" (ἄλεκτρούαινα) (following first declension feminines) for female chickens. We risk missing the joke if we simply remind ourselves that to the ears of the audience, "*alektruaina*" will almost sound normal since it ends as does "*leaina*" (λέαινα, lioness) and "*phallaina*" (φάλλαινα, whale) – both of which are comic comparisons with the common hen. The novelty of "*alektruaina*" together with its humorous rhyming connection with words for far more majestic animals is a bit on the cerebral side. What provokes the hearty belly laughs is not the fact that "*alektruaina*" is novel, but that it is wrong. In Greek, "some names of animals have only one grammatical gender without regard to sex," and this is related to the fact that in Greek the "gender of most nouns denoting sexless objects has to be learned by the endings . . . and by observation" (Smyth 1956, 46). This would have been just as true for Aristophanes' Greeks as for people learning classical Greek today. Learning the grammatical gender of sexless objects, as well as learning which

animal names have only one grammatical gender, is not a matter of mastering an abstract rule or principle, it is a simple matter of noticing and obeying linguistic custom. We might say that when it comes to grammatical gender, “*nomos pantōn basileus*” (νόμος πάντων βασιλεύς): custom is king of all (Herodotus 3.38.4, who attributes this saying to Pindar). We laugh at Socrates’ neologism because in creating the word he sets himself at odds with custom, thereby making himself ridiculously wrong. The chicken joke is unversive: our communal laughter marks Socrates as the oddball who is out of step with correct Greek grammar and marks ourselves as the socially mature ones who know how to speak Greek properly.²⁷

This point is worth clarifying because as far as I can tell, modern scholars have missed the joke.²⁸ There simply is no further fact about the gender of the Greek word for a female chicken beyond actual linguistic custom – the evidence for the fact constitutes the fact. When there is no gap between the evidence for a fact and the truth of the fact, there is no room for skepticism: the evidence is necessarily conclusive, and the inference from one to the other is indubitable. By inventing “*alektruaina*,” Socrates is insinuating skepticism into an indubitable inference; in doing so he makes himself ridiculously wrong, and ordinary speakers of Greek know that he’s wrong. Those of us who learned and simply obey linguistic custom unquestioningly are the ones who know the truth, and snobs like Socrates who act as if ordinary custom isn’t good enough for them make themselves utterly ridiculous. We can enjoy the laughter of those who are indubitably aware that their own wisdom is superior to that of self-proclaimed know-it-alls like Socrates who look down their noses at us.²⁹ Aristophanes is deliberately setting Socrates up as a clownish Thales making a pratfall into a grammatical ditch.

Probably Aristophanes is deliberately conflating Prodicus and Socrates for the sake of this joke.³⁰ However, it is only the linguistic part of this linguistic anti-conventionalism that was probably peculiar to Prodicus. The skeptical anti-conventionalism attributed to Socrates here is repeatedly echoed by Plato. By the standards of Plato’s Socrates, his own wisdom is greater than that of those who humbly follow conventional ethical wisdom (*Apology* 21c3–23b7; *Crito* 46b4–47d5; *Laches* 184d5–185a7, 186a3–187b7; *Meno* 80a8–b5). Socrates asks about virtue and living well, but conventional answers aren’t good enough for him: he asks further questions, implying that custom is questionable and insinuating skepticism where conservatives believe it is inappropriate. Meno spots this and warns Socrates not to behave like this as a visitor in another city: people sometimes don’t take it very kindly when strangers treat their nomoi as questionable and hence risk subverting the reign of King Nomos (see *Meno* 80b5–7).

In particular, Plato’s Socrates insists on asking a question that is itself unconventional. When he asks Laches to tell him what courage is, he is not inviting Laches to recount the exploits of a brave man – something any decent, law-abiding, and patriotic citizen could easily do – rather he is asking something quite peculiar: what is one and the same in all the cases where we say that someone acted bravely (*Laches* 190e7–192b8). In the *Euthyphro* when he asks a similar question he says that he is looking for an *eidos* (εἶδος), *idea* (ἰδέα), or *paradeigma* (παράδειγμα, *Euthyphro* 5c8–6e6). At this point in the *Laches* and *Euthyphro*, why shouldn’t

we break into just as hearty a laughter as when Aristophanes' Socrates insists on inventing "*alektruaina*"? In grammar, custom is king. If we follow custom equally in ethical matters, then it should be just as silly to look for an *idea* of courage or piety as it is to look for a universal principle that determines the grammatical gender of names for animals.

There are at least two ways to champion custom equally in both the grammatical and ethical cases. First, there is the anthropological route taken by Herodotus. We might carefully document the differences in ethical customs of different peoples. By parity of reasoning we might then argue that just as we would not, for example, say that Kallatian children are wrong for using the Kallatian names of animals rather than the Greek names, we should not say that Kallatian children are wrong for obeying Kallatian ethical customs rather than Greek ethical customs (see Herodotus 3.38). I call this a free-thinking "liberal" defense of the sovereignty of ethical customs because it presumes the freedom to question, and hence to reject, the sovereignty of ethical customs. To rest one's belief that P on an evidence-based argument is implicitly to accept that believing P or not-P is determined by the quality of the evidence and argument considered and hence to assume that custom's reign must face the judgment-seat of evidential reason.

A second approach is one that every schoolchild knows – that is to ridicule anyone who is out of step with custom. I call this a "conservative" defense of custom because it assumes no higher judgment-seat of action than custom. Aristophanes takes this route in *Clouds*, and so his comedy is conservative.³¹

In my view, it is worth comparing Aristophanes with Harry Houdini when the latter debunked self-proclaimed mediums and psychics. It wasn't the tricks of the self-proclaimed "spiritualists" that bothered him, but rather the fact that they tried to pass themselves off not as entertainers, but as people with real paranormal abilities (Kalush and Sloman 2006, 486–501). Similarly, Aristophanes might have enjoyed philosophical discussions with Socrates, but what would have bothered him is that rather than being honest about the fact that he is an entertainer – delighting the crowd with his verbal gymnastics – Socrates fools others about what he is doing (if he is being ironic) or is himself naïve and deluded about what he is doing (if he sincerely believes that philosophical inquiry is inquiry into the absolute truth).

Bernard Freydborg might argue that I am displaying a remarkably tin ear when it comes to the subtle and sophisticated sarcasm and irony in Aristophanes' humor.³² For example, I would say that when Strepsiades responds to Socrates' invention of "*alektruaina*" thus, "Well said, by Air!" (line 666), he means what he says because in Socrates' facility with words he sees dollar signs; he sees just the kind of verbal dexterity that can win him the freedom from debt he seeks (see line 792). Freydborg, however, would say that I am missing Strepsiades' irony and sarcasm (Freydborg 2008, 38). By "well said" he really means "poorly said."

Against Freydborg's view I am tempted to make two arguments. First, the plot of *Clouds* turns on Strepsiades not being the brightest bulb in the pack. It is his lack of intellectual capacity that causes him to put his son in Socrates' school in his place, which, in turn, paves the way for his comeuppance (his son slaps him)

and for his resolve that the only way to deal with Socrates is not by out-smarting him, but simply by burning his school down. He is not mentally incapacitated, it is just that his intelligence is about normal. This in itself is a conservative joke at Socrates' expense because it implies that people of normal intelligence won't understand a thing Socrates says and hence will dismiss him outright if they have any sense.

Second, several jokes turn on Strepsiades not getting it. For example, with music and poetry in mind, Socrates asks Strepsiades if he would like to learn about measures, verses, or rhythms. Strepsiades jumps at the chance to learn measures because just the other day a merchant cheated him out of two measures of grain. Socrates points out that he was not referring to those kinds of "measures" (lines 637–42). One and the same Greek word (*metron*, μέτρον) can refer to musical measures or the scales by which grain is measured, and it is a simple pun to play on a word with two meanings. We miss the full humor of the pun, however, unless we see that it makes the audience feel superior to Strepsiades: we get the pun when Strepsiades does not, and so we laugh not just at the pun, but also at Strepsiades. Perhaps the most famous modern example of this sort of humor is the bit "Who's on first?" by Abbot and Costello: intentional puns can grow tedious quickly, while putatively unwitting punsters can keep us laughing at their stupidity even after several repetitions of exactly the same pun.³³ But there is a third layer of humor at work here. Strepsiades' inadvertent puns are not random: he misunderstands Socrates because he is focused on learning something useful. Strepsiades repeatedly misunderstands Socrates because Strepsiades is looking to learn something beneficial in practical terms that a general audience would understand, and Socrates repeatedly fails to show any such usefulness for what he teaches.³⁴ The audience laughs at Strepsiades because he fails to get puns that they get, but the audience also laughs at Socrates because Aristophanes portrays him as putting his intellect in the service of ends that anyone with the good sense that God gave geese will see are worthless.

But I am only tempted to make these arguments because Freydborg has an obvious reply to them: I am missing the irony and sarcasm of all these other passages as well (see, for example, his remarkable interpretation of lines 734 and 790 at Freydborg 38). It is notoriously difficult to argue against an interpretation that appeals to irony, especially when that interpretation does not cite any explicit indication in the text that irony is involved (see Vasiliou 1998, 456, and Wolfsdorf 2007, 176–7). For example, there is a poignant irony in what Agamemnon says to Clytemnestra in Euripides' *Iphigeneia at Aulis* (687–90):

Sending a daughter off to marriage is a joyous affair, and yet
It tears at a father's heart when, to another's house
His children he must send, having worked so hard for them.

The primary irony is in the phrase "to another's house." On the surface he is referring to the house of Achilles to whom he is allegedly giving Iphigeneia in marriage, but Euripides has spent almost 700 lines letting us in on Agamemnon's

horrible secret: he intends to sacrifice Iphigeneia, thus sending her to the house of Hades. We have 700 lines of explicit text on which to base an ironic reading of this passage. Freydborg's grounds for his subtle interpretations are far less explicit, and so they may be unfalsifiable, since any textual evidence brought to bear against them can simply be interpreted as ironically supporting it. So I will simply say that in a way, my interpretation turns out to be perfectly compatible with Freydborg's, despite the appearance that it is opposed. Freydborg can accept that on a literal-minded interpretation, Aristophanes is exactly the unversive conservative I claim him to be, and yet, if we read the entire text as virtually sandwiched between two scare quotes, we can imagine the author providing one huge wink of recognition to the cognoscenti so that we get the ultimate joke: his conservatism is a humorous posture masking liberal philosophical theorizing (for example Freydborg 37). I do, however, have one final argument against Freydborg that I will mention in the next section.

So far I have rested my argument for an unversive Aristophanes on the overall structure of the plot, the conclusion of the play, the chicken joke, and some of the uses to which he puts Strepsiades' limited intelligence. Obviously I cannot go through all the humor in *Clouds* to support my thesis, but before I conclude by saying something about Aristophanes' intent, I will indicate how my view illuminates two more jokes: (1) the flea joke in lines 144–7 and (2) the vomit joke in lines 906–7.

When Strepsiades arrives at Socrates' school, Socrates had just raised the question to Chaerephon of how far a flea can jump as measured in flea feet. As with the chicken joke, Socrates has insinuated skepticism – in the form of an inquiry based on presumed ignorance – into a situation where skepticism is not only unexpected, but ridiculously wrong. Socrates and Chaerephon were not examining a flea “under laboratory conditions” as we say today; a flea had just bitten Chaerephon on the brow and jumped onto Socrates' head – they are literally flea-bitten. Everyone in the audience with a lick of common sense knows to keep themselves clean from fleas, and here these two knuckleheads are examining fleas instead of getting rid of them. They violate cultural norms of hygiene, but not in such a way as to undermine our own commitment to obeying those norms (for example by making medical discoveries that greatly improve public health); in fact the effect is quite unversive since they make themselves look unhygienic and ridiculous.³⁵ As with the chicken joke, the skeptical question is not to be answered, but rather reveals the questioner to be ridiculously wrong. The mere fact that they would ask such a question seriously instead of just getting rid of the fleas is an aspersion on their characters.

We see this same self-impugning skepticism in the vomit joke at lines 906–7. Adikos has advanced one of the most profound and enduring of philosophical problems – the problem of evil – and has done so in a brilliant manner. Adikos asserts that justice does not exist. This in itself is funny, because “*Adikos*” (Ἀδίκος, “Wrong”) is saying to “*Dikaio*s” (Δίκαιος, “Right”) that “*dikē*” (δίκη, rightness or justice) does not exist (line 902). Since the words “*Dikaio*s” and “*dikē*” are clearly alike, this will sound to the Greek audience almost as if Adikos

is proving to Dikaïos that he – that is, Dikaïos – doesn’t exist. Adikos formulates his argument as a rhetorical question, but if we put it in the form of an argument, it might look like this:

- (1) If justice exists, then Zeus has been destroyed (for imprisoning his father).
- (2) Zeus has not been destroyed.
- (3) So, justice does not exist.

This argument is logically valid, and so if someone accepts the truth of the premises then they suffer the embarrassment of making an irrational decision if they do not also accept the truth of the conclusion. What makes this argument brilliant is the fact that these premises are ones that Dikaïos would be embarrassed to reject. If Dikaïos denies premise 2, then he is just as bad as Socrates, who comes right out and states that “there is no Zeus” (line 367). If Dikaïos denies premise 1, then he denies the fundamental feature of Greek piety that it is wrong to mistreat a parent, especially one’s father (compare MacDowell 1978, 92, 174). That this is a serious problem is underscored by the fact that Aeschylus raised a very similar problem in *Eumenides* (lines 640–41), and there is clearly no humor intended when he raised it.³⁶ This is a valid argument with premises Dikaïos cannot reject, but whose conclusion he must reject – Aristophanes’ comedic and intellectual genius shine through.

There is a way for Dikaïos to reject premise 1 without impiety: he can plead special circumstances. Kronos had been swallowing Zeus’ siblings, and one might argue that eating one’s own offspring is worse than mistreating one’s father, so the latter is a justifiable means to stopping the former. Alternatively, Dikaïos might defend something like a divine command theory of morality and argue that Zeus himself determines what is right, so if Zeus does it, then it is necessarily right. Either of these replies raises a number of interesting theological and philosophical issues, many of which have been repeatedly explored in great detail in the two and a half millennia since the original production of *Clouds*. I consider these to be free-thinking “liberal” answers because they rest on the assumption that the argument is to be answered with evidence and argument, that is that our stand on the justice of Zeus must be determined at the judgment-seat of evidential reasoning.

Aristophanes has Dikaïos take a much different approach: “Yech! What a foul argument you’ve crapped out! I’m going to vomit” (lines 906–7). This is a decidedly conservative reply, taking for granted that the justice of Zeus stands in no need of defense. Commentators mistakenly believe that this vomit joke wins this battle for Adikos on the grounds that it shows Dikaïos to have no reasonable reply to Adikos’ argument. What commentators fail to see is that replying in Adikos’ own terms would be an admission of defeat on Dikaïos’ part because he would then be admitting – as I just showed – that the justice of Zeus stands in need of defense at the judgment-seat of evidential reasoning. Commentators fail to see how cleverly Aristophanes has constructed this argument: it is valid, Dikaïos cannot reject either premise without looking ridiculous, and he cannot reply to the argument in Adikos’ own terms without looking similarly ridiculous. He’s trapped

unless he finds a conservative way out. The vomit joke is a conservative way out, and it directs the ridicule toward Adikos, so it is a successful response: Dikaïos is in fact the winner of this particular battle because the vomit joke is a “zinger,” scoring the final point for Dikaïos.

Commentators seem to have a blind spot for this sort of reply, but it is ubiquitous. Dikaïos responds to Adikos as Camillo responds to King Leontes when the king casts vile aspersions on the queen’s character and conduct in Shakespeare’s *The Winter’s Tale*: he refuses to respond in Leontes’ terms, focusing instead on the moral character of the one who would dare say such a thing about the queen (lines 278–83; compare Nussbaum 1980, 58–60). Similarly, Dikaïos might well approve of Chaucer’s miller when he says,

*An housbonde shal nat been inquisityf
Of Goddes pryvetee, nor of his wyf.
(Chaucer, *The Miller’s*
Prologue 3163–4)*

Here the “shal” is not expressing futurity but necessity or obligation: “don’t go poking your nose where it doesn’t belong!” To ask the question or to venture an evidential response is to impugn your own character. Unlike free-thinkers who subvert the boundaries of pious decency when they raise forbidden questions seriously, Dikaïos and Chaucer’s miller take such questions unversively, that is as revealing subversives to be contemptible and thus providing an opportunity to champion the reign of King Nomos.

We reveal ourselves to be free-thinking “liberals” to the extent that we take “the problem of evil” seriously as a philosophical and theological problem (even if we believe it to have a perfectly reasonable and pious answer). The same is true of our willingness to take entomology seriously: if more Greek intellectuals had studied fleas, then the role fleas play in the promulgation of plague might have been discovered much sooner. This same “liberal” attitude would no doubt cause us to be open-minded if a lexicographer advanced a general theory of the assignment of grammatical gender according to which “*alektruōn*” was anomalous. No doubt conservatives will (a) laugh at us for wasting our time on such grammatical speculations, (b) object to our wasting precious research money studying fleas, and (c) scoff at us when we consider the “problem of evil,” saying that we are merely engaged in a pretentious form of carping. And yet, at least in the case of the fleas, we now know that some liberal inquiry can have quite unexpected value.

Section 4: The causality of humor

At *Apology* 18d2 and 19c2, Plato’s Socrates refers to Aristophanes, implying that with *Clouds* he made himself one of Socrates’ accusers and that he did so out of *phthonos* (φθόνος) and slander (*diabolē*, διαβολή). The use of “*diabolē*” is easily understood because it is surely true that Socrates was not guilty of cosmological atheism. “*Phthonos*” is troubling because Socrates was not a direct

competitor of Aristophanes' on the comic stage; what, then, could be grounds for envy? If "*phthonos*" doesn't mean "envy," then it could mean "malice." Given my interpretation of Aristophanes' *Clouds*, this is possible. A conservative like Aristophanes has reason to bear a grudge against liberals like Socrates who question traditionally respected *nomoi*. And yet, the Socrates drawn by Plato is quite a witty and engaging fellow. I find it hard to believe that Aristophanes wouldn't have enjoyed his company (though I do take *Symposium* 212c4–5 as a suggestion that Aristophanes was at least occasionally bested by Socrates in public verbal sparring).³⁷ Certainly if we compare Socrates and Meletus as depicted in Plato's *Apology*, Aristophanes would esteem the former and loathe the humorless and self-righteous dullard. But I am inclined to think that Plato is using "*phthonos*" in the more generic sense used by Hecuba in her eponymous Euripidean tragedy, that is "reproach" (line 288). In my view, Aristophanes found Socrates to be ridiculously wrong and wrong-headed, and this is grounds for "reproach," just as Houdini reproached self-avowed spiritualists. If I am right about "*phthonos*," then given my view of *Clouds*, Plato's Socrates was spot on in pointing the finger at Aristophanes.³⁸ Even if the two engaged in playful verbal sparring, enjoyed each others' company, and shared a mutual respect, Aristophanes and Socrates were profoundly opposed in a serious cultural war.

Between the years 479 (the battle of Plataea) and 431 (the battle of Corcyra), although Athens was not under the kind of imminent existential threat it faced from Darius in 490 and from Xerxes in 480–79, it no doubt felt a profound anxiety that a third invasion could happen at any time. Even after the Peace of Kallias in 449/8 Athens could still not afford to let its guard down. Modern comparisons are always dangerous, but as a rough first approximation, we might compare the Athens into which Aristophanes was born with the modern "Cold War": ostensibly a time of peace and prosperity, but just under the surface lay great fear – a fear that found partial expression in the increasingly suspicious and harsh manner in which Athens treated members of the Delian League.

In such a context we should be surprised if there weren't a general "cultural war" in Athens that was distinct from (although, obviously, bound together with) the political battles between the democratic and oligarchic factions. It is easy to assume falsely that a cultural conservative in Athens in this period will necessarily have oligarchic political sympathies, just as it is easy today falsely to assume that a cultural conservative will vote Republican in the US and Conservative in the UK. But in all these cases, the cultural stance does not necessarily imply any particular political affiliation. Entertainers cannot afford to alienate any substantial portion of their audience, and so they often make deliberate attempts to avoid taking stands on divisive political issues. But from this it does not follow that they avoid taking stands on controversial cultural issues. In fact, from a comedian's point of view, the hotter the cultural issue, the riper it may be for hilarity.

In my view, Aristophanes was a cultural warrior who perceived Socrates to be a prominent enemy of conservatism, and in true conservative fashion he deliberately made Socrates look ridiculous. I, therefore, hold Aristophanes partly to

blame for Socrates' execution, although I suspect he was horrified when it happened (I agree with Hammond 1986, 427).

That Aristophanes was partly to blame for what happened to Socrates is my final argument against Freydberg and indeed against all who would link Aristophanes too closely with Socrates in particular, or with the liberal intelligentsia in general.³⁹ Every schoolchild knows that to be ridiculed publicly – for example, on the playground or on the stage – is to be marked as ridiculous and not to be taken seriously. If you are further subjected to the putatively absolving hypocrisy, “I was only joking,” then you are in addition marked as weak. Most of us don't need to worry too much about such verbal roughhousing because a normal part of growing up is learning how to secure a network of friends who help protect us from the potential consequences of being marked as both ridiculous and weak. Those who are, for one reason or another, lacking in such networks are vulnerable to serious, even life-threatening, escalating repercussions.⁴⁰ Aristophanes would have to have been an idiot not to realize that by making Socrates look ridiculous, he was socially marking Socrates as someone not to be taken seriously and hence targeting him for some degree of social ostracism.⁴¹ On Freydberg's interpretation, Aristophanes would have to have believed that “I was only joking” truly absolved him of all culpability. I take this as a serious objection to Freydberg's view.⁴²

Of course, we need to be careful in identifying what kind of causality humor possesses. When considering the social causality of humor a terrible argument is as follows: Kleon got elected after Aristophanic ridicule, Socrates got executed after Aristophanic ridicule; the correlation is not statistically significant so we must reject a claim of causal connection. We mustn't have a simplistic billiard-ball view of causality. It is possible for two people to catch the same virus but only one of them to come down with a cold. This does not refute the putative causality of viruses. The comparative strength of one's immune system plays a crucial role. Hence, it is possible to make someone sick directly by infecting them, but it is also possible to make them sick indirectly by weakening their immune system. If Aristophanes' *Clouds* factors into the explanation of Socrates' execution, it needn't be because it caused people to dislike or fear him, but rather because it helped compromise the forces that led people to restrain their dislike or fear of Socrates.⁴³

Knowing that humor can have such an effect requires no greater knowledge than that of the average schoolchild. If a bully picks on someone and gets away with it, others may try to pick on the same child. If they get away with it, still more may try. Unless the picked-on child has a network of friends to counter-act the social damage, this story could have a tragic ending. Ridicule may not cause people to dislike someone, but if they do dislike someone, successful public ridicule without repercussions could create an atmosphere in which people's inhibitions against acting on their dislike are diminished.

In a recent study of sexist humor and its effects on men, Ford *et alia* argue that sexist humor is not simply benign amusement; it can have a deleterious

effect on men's perception of the immediate social context and thereby promote the behavioral release of prejudice against women.

(Ford *et al.* 2008, 169)

After exposure to sexist humor, test subjects were increasingly willing to focus hypothetical budget cuts on a women's organization rather than to distribute budget cuts equally (Ford *et al.* 163). There was no indication that sexist humor caused sexist attitudes in people who did not already have them, but it did show that people who already had sexist attitudes were more likely to act in overtly sexist ways in the presence of sexist humor. The authors refer to this as the "prejudice-releasing function of sexist humor."

These findings suggest that exposure to sexist humor did not simply create a "false consensus" bias (Ross, Greene, and House 1977) whereby sexist participants overestimated the prevalence of their sexist attitudes in the general population. Rather, for sexist participants, the sexist humor created a realization of two separate and conflicting norms of appropriate conduct toward women: a general, nonprejudiced norm and a local, prejudiced norm – a norm tolerant of sexism. Sexist participants took advantage of the local prejudiced norm to release their prejudice against women without fears of disapproval from others. Disparagement of women through humor "freed" sexist participants from having to conform to the more general and more restrictive norms regarding discrimination against women.

(Ford *et al.* 2008, 168)

This helps us understand more precisely what every schoolchild knows about the dangers of being a social laughingstock.

I do not believe that *Clouds* turned anyone against Socrates. However, I do think that it helped create an atmosphere in which people with an antipathy toward Socrates felt more comfortable "releasing" their feelings in overt action, for example voting "guilty" at his trial. Probably Aristophanes simply hoped that people would take Socrates less seriously and that his entourage would dwindle away. Sadly, he underestimated his influence.

Section 5: Introducing Socrates mystagogos

So far I have shown that in *Clouds*, Aristophanes consistently ridicules Socrates from the viewpoint of a cultural conservative, championing traditional norms against people who treat them with skepticism and hence subvert them. I have also argued that in several of his dialogues, Plato's portrait of Socrates matches Aristophanes', at least with respect to skeptical anti-conventionalism.⁴⁴ I will argue in chapters 2 and 3 that the skeptical basis for Aristophanes' conservative critique of Socrates is philosophically elaborated and championed by Plato: Plato takes over Aristophanes' portrait of a Socrates who is willing to ask subversive questions, but Plato portrays this practice as eminently sensible. Because he rejects

Aristophanes' conservative ridicule of Socrates, there is necessarily something liberal in Plato's Socrates. Hence we can say with some justice that Plato adopts Aristophanes' Socrates – suitably stripped of its comic over-determination and its slanderous lies – but re-evaluates him at least partly from a liberal perspective.⁴⁵ What complicates this account of Plato is that he also takes over another important feature of Aristophanes' portrait, one that I have not emphasized so far, but that adds fervor to the conservative attack on Socrates: Socrates the liberal is bad enough, but Socrates mystagogos is especially dangerous.

I have referred to Socrates' *phrontistērion* (introduced at *Clouds* 94) as a school/temple. The fact that it is treated both as a secular school and also as a religious temple is yet another part of Aristophanes' scattershot and over-determined humor. In lines 243–251, for example, the text turns on a dime, first caricaturing Socrates as a sophist who charges money to teach people the art of unscrupulous argument (school) and then switching over to the language of cult initiation (temple; see Konstan 2011, 86). This sudden juxtaposition is humorous because it is incongruous: sophists are not connected with initiation rites into mysteries (Dover 1968, xli). At line 359 he is a priest (*hiereus*, ἱερεὺς), and at line 783 Socrates is a teacher (*didaskō*, διδάσκω).⁴⁶ Twice Strepsiades goes through mock initiation rites (at 250–274 and then again at 497–509), and in both of these – most explicitly in the second – Socrates acts as mystagogos, preparing Strepsiades for initiation and leading him into the sacred space to confront the relevant deities, that is the *Clouds*.⁴⁷

Combine this image of Socrates mystagogos with what I pointed out in section 3 about the end of the play: four counts of impiety constitute the grounds for Socrates deserving to have his school/temple burned to the ground (the twin impieties of father and mother beating and the twin impieties of *hubris* and injustice against the gods). From a conservative point of view, such impiety makes retributive *nemesis* both desirable and inevitable. The cycle of *hubris*, *atē* (ἄτη), and *nemesis* (νέμεσις) is as traditional as it is familiar: *hubris* produces blind folly (*atē*) resulting in the inevitable – and occasionally fiery – *nemesis*.⁴⁸ When we first see Socrates, he is speculating (*periphronō*, περιφρονῶ) about the sun (line 225); Strepsiades immediately substitutes the word “*hyperphroneis*” (ὑπερφρονεῖς, line 226) for “*periphronō*.” Whereas “*peri-*” means around, “*hyper-*” means above. By assuming that he can encompass Helios in his thoughts, he is guilty of setting himself above Helios as superior to the god. This sets up the ultimate joke of the entire comedy when what we might call a “mini-helios” burns Socrates' school to the ground: Strepsiades “refutes” the *phrontistērion* with a torch (*phlox*, φλόξ, on line 1494; the same word is used to refer to the heat of Helios, compare Aeschylus *Prometheus Bound* 22, *Persians* 505, and Sophocles *Trachiniae* 696). The one who thought himself above the sun is shown, in the end, to be ridiculously inferior.

Socrates' arrogant impiety is bad enough; what is galling from a conservative point of view is that he has the temerity to present and comport himself in traditional religious roles, masquerading as a pious mystagogue and priest. Socrates appears to offer profound wisdom, but all one gets from him are bedbugs and

fleas (lines 700–22). The framing background image for the audience may have been the exchange of gold for bronze between Diomedes and Glaucus in Homer’s *Iliad* (6.232–6; see also Plato *Symposium* 219a1 for an example of the use of this image). Just as Glaucus had his wits taken away by Zeus (*Iliad* 6.234) you’d have to be a witless fool to follow Socrates, exchanging the gold of life lived in harmony with traditional norms for the flea-bitten life of a free-thinking liberal (lines 700–22). All this goes yet again to validate Strepsiades’ conservative, plot-turning revelation that if we raise our children this way, then we deserve all the ill treatment we receive from them (line 1439).

For Aristophanes, then, Socrates goes beyond the subversiveness of skeptical liberalism to a kind of religious perversity, mimicking the sacred role of mystagogos with profoundly impious results. Normally a mystagogue leads an initiate deeper into cult mysteries, but the deeper mysteries do not contradict or subvert the truths already accepted by the initiate. Initiation is part of the process of preparing oneself for, and actively taking up, one’s proper role in society (Burkert 1985, 260–4). By way of stark contrast, Aristophanes’ Socrates mystagogos is deeply unnerving; the worst-case-scenario with his initiation rites is profoundly impious, but even the best-case scenario is subversive because he treats traditional norms with skepticism.

Plato also takes up this idea of connecting intellectual inquiry with initiation rites, but he does so with great circumspection (Adkins 1970, 18–24). At *Euthydemus* 277d4–e4 Plato has Socrates compare the sophists Euthydemus and his brother Dionysodorus to the Corybantes in their initiation rites. At *Gorgias* 497c3–4 Plato has Socrates describe Gorgias as having done what is “not permitted” (using ritual language: *ouk . . . themiton*, οὐκ . . . θεμιτόν), that is to be initiated into the Greater (Eleusinian) Mysteries before the Lesser. As in the *Apology*, Plato is clearly separating Socrates from the sophists (Adkins 19). And yet, at *Meno* 76e6–9 Plato does allow Socrates to associate himself with initiation into mysteries (although we are probably to infer that Meno is the one who came up with the analogy, not Socrates). And, of course, at *Phaedo* 81a8–9 and *Phaedrus* 250c4 Plato has Socrates explicitly endorse the comparison of his philosophical behavior with initiation into mysteries. Many scholars (myself included) believe that the *Phaedo* and *Phaedrus* were written later than the *Apology* (and related dialogues), so perhaps when he wrote them Aristophanes’ damaging portrait was no longer the substantial issue it had been earlier, so he did not feel the need to be so careful in separating Socrates from the language of cult initiation. Be that as it may, it is clear that in the *Phaedo* and *Phaedrus* passages the mystagogic language is connected to what we now call “The Platonic Theory of Forms”; here there clearly is a set of abstruse doctrines to be imparted. In such a context Plato could clearly feel more at ease in comparing Socrates’ philosophical role to that of the mystagogos.

A modern analogy might help. There may be a case where you would find it useful to compare someone to Willie Loman from Arthur Miller’s *Death of a Salesman*, but you deliberately choose not to make the comparison explicit. In the end, Loman commits suicide, and although he may be a perfect analogy in other

ways, it may be important to avoid even the possibility of suggesting that the person you are talking about might be suicidal. This is how I view Plato's decision to avoid associating the language of initiation with Socrates in the *Apology* (and related dialogues). Despite the important analogies between Socrates' philosophical activity and the role of the mystagogos, in cult ritual the mystagogos is paired with a hierophant who reveals the deeper mysteries. Suggesting that Socrates is a kind of mystagogue will encourage people to look for his hierophant, and this will encourage people to take Aristophanes' portrait more seriously when Plato wants to have precisely the opposite effect.

There is an additional problem with the explicit use of the mystagogos as an analogy for Socrates' philosophical behavior, one that is brought out in the *Meno* passage cited earlier. Meno likens Socratic questioning to initiation into mysteries because he expects Socrates to have answers to his own questions about virtue just like the answers he has provided about color and shape (at *Meno* 73e3–76e4, compare 77a1–2). When Meno has trouble defining shape he presses Socrates to do it for him (75b1–4), and Socrates obliges twice. Although Meno has agreed to do likewise for virtue (at 75b5), he now expects that if he is not up to the task, Socrates will be able to step in and provide the needed definition. So he feels exasperated when he proves unable to define virtue adequately and Socrates claims not to know the answer to his own question (80c3–d8). Like a non-suicidal Willie Loman, Socrates is a mystagogos without a hierophant, and this frustrates expectations (hence the complaints in the *Clitophon*). People inevitably feel as if Socrates is leading them, as a mystagogos leads an initiate, and this leads them to expect a hierophant and a set of doctrines.⁴⁹ Since Socrates never satisfies this expectation (at least not in the *Apology* and related dialogues), people tend toward a kind of conspiracy theory about Socrates, for example that he is concealing his doctrines behind a screen of mock epistemic humility – precisely what he is accused of by Callicles (*Gorgias* 489e1), Thrasymachus (*Republic* 1.337a4), and Alcibiades (*Symposium* 216e4). But if Socrates is being honest about not knowing the answers to his questions, then he makes salient a much worse possibility – one suggested both by Aristophanes (see Bowie 1993, 112–24) and Meno (*Meno* 80a2–3): Socrates begins to look like some kind of *goēs* or *pharmakeus* (φαρμακεύς, sorcerer). If he is not leading his interlocutors to a hierophant, then his mystagogic activity can seem to be more like some kind of confusion spell he casts, clouding people's minds so that they no longer grasp what they know perfectly well. With Aristophanes' portrait prominently in the background, drawing attention to Socrates as a kind of mystagogue may, in one way or the other, be very damaging to Socrates' reputation and will seriously undermine Plato's attempt to undo the prejudice Aristophanes has fostered. Plato has a very delicate problem here: how can he give a strong defense of Socrates mystagogos without implying that he either has or lacks a correlative hierophant?

Plato's solution is brilliant: he presents Socrates as a gadfly (*Apology* 30e5), stinging the Athenians into wanting a mystagogos. Rather than presenting Socrates as the solution to a problem most Athenians don't see, Socrates mystagogos tries to get the Athenians to feel the pull of the problem so that they

spontaneously look for someone exactly like himself who will, like a godsend (31a7–8), answer their prayers for initiation into the greater mysteries of virtue and well-being (29d1–30b4). If the Athenians are made to feel that their eyes are closed, metaphorically speaking, regarding these “mysteries,” then they will themselves seek a qualified hierophant – or better yet, become hierophants with respect to virtue themselves (see 31b3–5, see also “each of you” at 36c5, see also 37e5–38a6, *Laches* 201a3–b5, *Euthydemus* 307b6–c4) – tasks with which Socrates is happy to help.⁵⁰

Plato’s Socrates begins in bold strokes, sweeping aside the comic exaggerations and malicious slanders involved in Aristophanes’ portrait of him (*Apology* 19a8–20c3). If the jury believes him – and they have every reason to do so – then there is little possibility that the jury will imagine a self-proclaimed hierophantic or sorcerous Socrates. He can then frame his relation to the jury as non-adversarial and based on mutual respect.

I suppose one of you might say, “But Socrates, what is your problem? What is it about you that has given rise to these accusations? Obviously if you were doing nothing other than what others do such talk about you and such an account of your activities would never have arisen unless you were behaving differently from the majority. Tell us what this is so that we may not act ill advisedly in your case.”⁵¹

(*Apology* 20c4-d1)

Notice that this puts the jury in the position of asking a question. Socrates portrays them as being puzzled by Socrates’ nonconformity, and he validates their query by saying that their question is a fair one (it is right or just, 20d2): we are right to stick loyally by our conventional standards of behavior and to be suspicious of nonconformists. Rather than rejecting the allegation of nonconformity, or challenging the assumption that nonconformity is in itself grounds for suspicion, Socrates offers to provide the requested information – he will come right out and describe his nonconformity. Socrates is having it both ways here, simultaneously validating a conservative insistence on obeying traditional standards and validating a liberal allowance of nonconformity by openly declaring exactly how he is himself a nonconformist. Although there is something decidedly liberal in Plato’s portrait of Socrates, it is not *simply* a liberal portrait.

Socrates’ answer to the question he imagines the jury asking is well calculated to pique curiosity: after having vehemently and repeatedly denied that he is to be counted among the self-proclaimed wise men like Gorgias, Prodicus, Hippias, and Evenus (*Apology* 20a3), Socrates not only claims to have a certain wisdom (20d7), he also claims no lesser authority than the god of the Delphic oracle in asserting that no human being is wiser than he (21a6–7) and that he is on a mission from god that makes him god’s gift to Athens (23b5, 28e4–6, 30a5–7, 30e4–31a8). Of course Socrates interprets all this in such a way as to emphasize that with respect to topics fine and good he has no more wisdom than any other human being (22e6–23b4, compare 23a7), but it couldn’t have been easy for the

average juror to listen to Socrates affirm that (i) because of his wisdom he is god's nearly irreplaceable gift to Athens, all the while humbly professing that (ii) he has no great wisdom.

Socrates is deliberately provoking the jury to puzzlement and inquisitiveness. It is not immediately obvious how (i) and (ii) can fit harmoniously together if we take them both to be intended seriously. We dissolve rather than solve this puzzle if we allow ourselves to drop the assumption that Socrates is being perfectly honest and open. If we allow ourselves to take (ii) with a grain of salt, then there is an easy account of how (i) and (ii) go together that would be highly salient for the average Athenian juror: Socrates is being *kerdaleos* (κερδαλέος) – cunning or crafty in pretense, wily like a fox, making a show of humility but all the while believing himself to be divinely wise. Recall Nestor's advice in the *Iliad* that the *kerdaleos* warrior is able to make the weaker horses stronger (*Iliad* 23.322). Surely this passage lies behind the allegation in Meletus' affidavit against Socrates, alleging that he "makes the weaker argument stronger" (*Apology* 19b5–6). In addition, Hermes was *kerdaleos* when he played the sweet-innocent-child-born-only-yesterday routine to hide from Apollo that indeed he had stolen the latter's cows ("whatever cows might be," *Hymn to Hermes* 4.260–77). Athena describes Odysseus as *kerdaleos* (*Odyssey* 12.251) after he lied right to her face, pretending to be a Cretan abandoned on Ithaca. *Kerdaleos* words create a kind of verbal mask, hiding one's true self. Socrates' assertions make sense in his culture if we take his apparently humble denials of wisdom to be his cunningly designed mask, hiding the truth of his real belief that his great wisdom makes him god's gift to Athens. Some such view as this occurred to Callicles (*Gorgias* 489e1), Thrasymachus (*Republic* 1.337a4), and Alcibiades (*Symposium* 216e4). For these three, Socrates is guilty of *eirōneia* (εἰρωνεία), traditionally translated as "irony." However it is translated, the idea is at least similar to that of being *kerdaleos* (see Lane 2006; Wolfsdorf 2007; Ferrari 2008). Socrates is perfectly well aware that some are inclined to think he is ironic (*eirōneuomenō*, εἰρωνευομένῳ, *Apology* 38a1). However, since Meletus, Callicles, and Thrasymachus are clearly hostile to Socrates, and Alcibiades' claim to understand the real Socrates undermines itself (compare *Symposium* 215e4–216c3 and 216e5–217a6), we have reason to look for an alternative understanding of why Socrates can express what seem to be both high and low opinions of his own wisdom before we are forced to agree with such poor witnesses.

To begin with the obvious, Socrates' apparently contrary claims about his own wisdom are *puzzling*. Puzzles challenge us to puzzle them out. If we assume that our inability to see the solution to the puzzle is due to Socrates' manner of expression, then we can dissolve the puzzle quickly by calling Socrates ironic; perhaps the deliberately ill-cut pieces are the reason why we can't solve the jigsaw puzzle. And yet, if we humbly accept that our puzzlement might result at least partly from our faulty assumptions, if we are willing to be *self-critical* as well as critical, then our puzzlement may not indicate a ruse to be seen through or a sophism to be rejected, but in part a doorway to self-discovery.

When confronted with the puzzle of how Socrates can sincerely expect his jury to believe that both (i) and (ii) are true, he expects them to wonder what might be meant by “wisdom” in each claim, and he expects them to be willing to question their own pre-conceived notions of what “wisdom” is. In other words, I am assuming that Socrates’ audience is practiced at making a sort of “hermeneutic ascent.” Am I entitled to this assumption? Would that there were an obvious and prominent institution in Greek popular culture, preferably in ordinary religious culture, that not only valorized the hermeneutic ascent but demanded humility in the inquirer to be willing to question her or his assumptions.

Obviously there is just such an institution, and it is precisely the institution Socrates mentions in his self-defense: the oracle at Delphi. When Greek gods answer questions, they don’t usually say things like “thou shalt not steal”; all too often they say things like “know thyself” and “nothing in excess” (compare Reeve 1989, 30–1). While there are legitimate puzzles as to what exactly counts as stealing, the content of Delphic pronouncements are far more puzzling. But even when an oracle’s meaning seems perfectly clear, the worshiper must still consider the hermeneutic ascent: your assumptions can lead you disastrously astray in your interpretation. Croesus discovered this too late when he found out what it really meant to say that he would destroy a great empire if he attacked the Persians (Herodotus 1.53.1). Of course oracles can be pinned down to a “yes” or “no” answer, but these can be equally unhelpful, as in Socrates’ own case. It seems that Chaerephon asked the oracle whether anyone was wiser than Socrates and received the reply “no” (*Apology* 20e8–21a8; see Reeve 1989, 28–32). Socrates immediately made a hermeneutic ascent because he had no idea what this “no” could possibly mean (21b2–7). He took it as a riddle (21b4); he did not consider it a ruse to be rejected but a puzzle to be solved.

We might worry that this is an impious or unscrupulous way to treat an oracle: once it is deemed a riddle, its content is up for grabs, which means the individual receiving the oracle assumes the authority to identify its determinate meaning and the word of god is no longer authoritative on its own. This worry, however, is inappropriate because it is influenced by religious hermeneutic principles more at home in the Judeo-Christian tradition than in Socrates’ pagan tradition. Croesus would not have been out of line, and in fact would have been well advised, to treat his oracle as a riddle. In fact, it would not be considered impious for a Greek to suspect that a sign given by god was an outright lie, designed for the ruin of the recipient. Zeus lied to Agamemnon in a dream (*Iliad* 2.1–41), and this cost the Greeks dearly. In the *Odyssey*, Penelope prudently points out that dreams passing through the gate of horn are fulfilled, while dreams passing through the gate of ivory deceive us (*Odyssey* 19.562–5). The Greek gods are not like the Judeo-Christian God who provides quite lengthy, detailed, and explicit instructions all designed for the benefit of his worshippers. In Greek religious practice, discerning divine pronouncements can be a complex hermeneutic business.

For example, Homer says that Zeus punctuated Telemachus’ vow of vengeance by sending two eagles to fight above the assembly (*Odyssey* 2.146–54). Halitherses made the hermeneutic ascent and interpreted the sign: Odysseus is

on his way home, and that means doom for the suitors (2.161–76). Eurymachus – one of the suitors – immediately rejects that interpretation, pointing out that birds fly around all the time without any divine signification at all (2.181–2). The interpretation of signs could be fraught with disagreement among interpreters, so much so that it can even be a matter of dispute whether something is a sign at all. Notice also that it is no accident that it is one of the suitors who challenges Halitherses. Eurymachus refuses to believe that the eagle fight is a divine sign because if Halitherses is right, then he is doomed because of his own wicked behavior. Eurymachus' inquiry into the possible meaning of the eagle fight is critical, but not *self*-critical.

Similarly, in Aeschylus' *Libation Bearers*, Elektra finds a lock of Orestes' hair and correctly believes it to be a lock of Orestes' hair, but she dismisses her belief as hopeful thinking (line 194). She fears that her desire to believe that it is Orestes' hair is making her unreasonably discount other possibilities. Her skepticism drives her to collect further clues, and when she has several highly distinctive pieces of evidence that individually and collectively are best explained by Orestes having returned, her belief that Orestes has returned can no longer adequately be explained merely by her hope. In order to be done well the hermeneutic ascent must be both a critical and a self-critical enterprise: one must not only be prepared to decide among competing interpretations of a single sign, but one must also be prepared to consider the issue of whether a given phenomenon is a sign at all, and one must be sensitive to one's own motivations in the interpretation, which can affect or skew the interpretation, making one see what one hopes to see or be blind to something one fears to see.

Critical awareness of one's own will to believe is what stultifies Penelope in the interpretation of her own dream. The dream is improbably explicit (like "an English movie with English subtitles," Carson 2005, 31), and Odysseus tells her the obvious meaning, but she remains baffled and makes the comment about the gate of horn and the gate of ivory. Penelope is not stupid; she sees the obvious interpretation, but it is exactly what she wants to believe. Why would Zeus tell her exactly what she longs to hear? Is he toying with her as he toyed with Agamemnon?

Xenophon provides an excellent example of personal interest influencing the interpretation of a divine sign. In a self-serving attempt to outdo Agesilaos, Agesipolis was determined to penetrate the defenses of Argos farther than Agesilaos had managed (*Hellenika* 4.7.5). Unfortunately, the very first evening upon arriving in Argive territory Poseidon sent an earthquake. The Spartan soldiers sang the paean and thought their retreat was imminent since two decades earlier King Agis immediately broke off his invasion of Elis when Poseidon sent an earthquake (3.2.24, 4.7.4). But of course this interpretation would thwart Agesipolis' ambition. He offered an ingenious rival interpretation of the earthquake: with Agis, Poseidon sent the earthquake when the army was on the verge of entering enemy territory, but in his own case the earthquake was not sent until they had already arrived and camped within enemy territory. Obviously, Agesipolis concluded, the earlier earthquake was intended to stop Agis and send him back home, but the

recent earthquake sent to him was a sign of divine approval and an order to continue the invasion of Argos.

The hermeneutic ascent with respect to divine signs is a common part of Greek life. A Judeo-Christian might be suspicious of someone who asks, "Sure, the bible tells us not to steal, but what exactly does it mean by 'steal'?" But an ordinary Greek assumes it is a duty of prudence that we make the critical and self-critical interpretation of divine signs a high priority. Socrates' hermeneutic ascent with respect to the Delphic oracle is not impious, it is not a violation of religious custom, and it is something he rightly expects ordinary members of the jury to recognize as legitimate.

Ordinary Greeks were not simplistic in their interpretive practices, and so we should not assume it would be beyond the capacity of an average juror to see that Socrates' disavowal of wisdom in matters fine and good is compatible with Delphi's "no" when asked whether anyone was wiser than Socrates: what could the god possibly mean in saying such a thing? Surely the oracle is worth puzzling out. Perhaps it means exactly what Socrates says it means: the proper attitude toward traditional wisdom should be one that involves a certain amount of humility and skepticism. Given the hermeneutic sophistication of his audience, Socrates has gone a long way toward undoing whatever damage he may have done to his case by admitting to nonconformity: (1) he has reminded the jury of their time-honored hermeneutic duty, and (2) he has pointed out that if the Pythia itself disparages human moral wisdom, then Socrates' particular brand of nonconformity is simultaneously a brand of conformity. He cannot be entirely unconventional when his questioning of human wisdom leads him to the following declaration:

You do not speak well if you think that a man of worth ought to worry about his prospects of living and dying rather than considering just this one thing: whether he acts justly or does what is wrong, whether he does the deeds of a good man or those of a bad man.⁵²

(*Apology* 28b5–9)

Although it may be nonconformist to pursue this agenda by refusing to rest content with facile bromides about courage, temperance, and so on, it is in conformity with traditional wisdom to approach such matters with a healthy dose of humble skepticism. Socrates does not challenge conventional wisdom from a distinct liberal set of assumptions. Rather, he relies on certain aspects of time-honored cultural *nomoi* in order to provoke the majority to make the hermeneutic ascent with respect to time-honored cultural *nomoi*. This is a kind of free-thinking liberalism, but it is simultaneously a kind of conservative obedience to *nomos*.

Given the hermeneutic sophistication he is right to expect from the average juror, Socrates does not have unreasonably high expectations of his audience to assume that they can and will approach his claims regarding his wisdom and traditional claims about the deeds of a good man both critically and self-critically. In short, it is reasonable for Socrates to think that the values of his own culture

justify his mystagogic mission and that a fellow citizen of average intelligence can appreciate this fact if he points it out to him properly.

In the chapters that follow I will give more details of what I see as Socrates' mystagogic mission, but for now I can say that it is a critical and self-critical examination of cultural norms that is itself validated by cultural norms. One salient contrast is with a conversion mission that is primarily a critical examination of one set of norms that is rejected by appealing to a separate set of norms. Like archers with different targets, each can criticize the other by noting that the other repeatedly fails to hit one's own choice of target. In demonizing the pagan *daimones* (δαίμονες, divine powers), for example, Christians were trying to convert pagans from practices designed to help secure salvation-as-conceived-by-pagans to practices designed to help secure salvation-as-conceived-by-Christians. Socrates' mystagogic mission is not a conversion mission in this sense. He does not critique conservatism by assuming a distinct set of liberal values; rather he relies on traditional norms to provoke his companions to make the hermeneutic ascent regarding traditional norms, to come to a better understanding of, appreciation for, and conformity with those very norms.

Consider an alternative way to critique an archer. A "conversion" critique attempts to get the archer to stop aiming at her current target and start aiming at a new one. A mystagogic critique does not do this, but instead provokes the archer to think critically and self-critically about her performance. Perhaps she has been content so far just to hit the periphery of the target and should consider distinguishing between hitting the periphery and hitting the center of the target. Is her contentment with her performance a byproduct of reliable success or of complacency? A "conversion" critique is necessarily subversive of the archer's current aim because it is based on the assumption that her current target is wrong. A mystagogic critique is not necessarily subversive; it assumes that the current target is correct, it simply asks that we examine more carefully what we are counting as success. This in fact seems to take the current target even more seriously than before, not less seriously.

If this is a good analogy for what Socrates is doing, then he is advancing liberalism by provoking people to inquire into traditional values rather than taking those values for granted, but he does so in such a way as to validate the very values he considers. Socrates mystagogos proceeds on the assumption that traditional values are correct; all he adds is a fervent encouragement to take those values seriously by interpreting and applying them in a critical and self-critical manner. Such liberalism has a chance of bridging the gap between conservatives and liberals, thus ending the hostilities.

Conclusion

I called this chapter "Socratic Skepticism" because skeptical inquiry lies not only at the heart of Aristophanes' ridicule of Socrates, but also at the heart of Plato's admiration for Socrates. I hasten to point out that we must not confuse Socratic skepticism with Cartesian skepticism. Among other differences, Cartesian

skepticism as practiced in his *Meditations on First Philosophy* is only temporary. One begins with skepticism in order to discover the proper foundations of knowledge so that we advance beyond skepticism to knowledge and certainty. Socratic skepticism is designed to be a persistent condition. As long as we remain human, our wisdom will remain paltry when compared with divine wisdom.

This makes for an odd epistemology. Ordinarily we would think that persistent skepticism amounts to a persistent antipathy to the quest for knowledge as futile. In particular, it is not obvious how Socratic skepticism is compatible with the apparently defiant Socrates of the *Apology* who declares that he is right to obey god rather than the jury or with the apparently authoritarian Socrates of the *Crito* who staunchly defends the right of the fatherland to execute him. Both of these Socrateses seem to possess a confidence verging on absolute certainty. It is my task in the following chapters to deal with these puzzles. In chapters 2 and 3 I argue that Socratic skepticism is not merely compatible with, but is in fact a dynamic component of, the intelligent pursuit of knowledge. In chapter 4 I come full circle and confront the puzzles with which I began this chapter. It is Socratic mystagogic skepticism that explains and justifies Socrates' defiance in the *Apology* and his authoritarianism in the *Crito*. Moreover, once we understand Socrates' philosophy in these regards, we will see that we have reason to take his epistemological, ethical, and political positions seriously today.

Notes

- 1 ἐγὼ ὑμᾶς, ὃ ἄνδρες Ἀθηναῖοι, ἀσπάζομαι μὲν καὶ φιλῶ, πείσομαι δὲ μᾶλλον τῷ θεῷ ἢ ὑμῖν, καὶ ἔωσπερ ἂν ἐμπνέω καὶ οἶός τε ὦ, οὐ μὴ παύσωμαι φιλοσοφῶν καὶ ὑμῖν παρακελευόμενός.
- 2 ἢ οὕτως εἰ σοφὸς ὥστε λέληθέν σε ὅτι μητρός τε καὶ πατρὸς καὶ τῶν ἄλλων προγόνων ἀπάντων τιμιώτερόν ἐστιν πατρίς καὶ σεμνότερον καὶ ἀγιώτερον καὶ ἐν μείζονι μοίρα καὶ παρὰ θεοῖς καὶ παρ' ἀνθρώποις τοῖς νοῦν ἔχουσι.
- 3 οἶα ποιεῖς, ὃ ἑταῖρε. ἀπ' ἐλπίδος με καταβαλὼν μεγάλης ἀπέρχῃ ἦν εἶχον, ὥς παρὰ σοῦ μαθὼν τά τε ὅσια καὶ μὴ καὶ τῆς πρὸς Μέλητον γραφῆς ἀπαλλάξομαι, ἐνδειξάμενος ἐκείνῳ ὅτι σοφὸς ἦδ' ἐπὶ Εὐθύφρονος τὰ θεῖα γέγονα καὶ ὅτι οὐκέτι ὑπ' ἀγνοίας αὐτοσχεδιάζω οὐδὲ καινοτομῶ περὶ αὐτά, καὶ δὴ καὶ τὸν ἄλλον βίον ὅτι ἄμεινον βιωσοίμην.
- 4 I am not confident in my ability to discern the differences between Aristophanes's revised text and the text as originally performed, so I do not distinguish between "*Clouds I*" and "*Clouds II*." On the date of the revision, see Kopff (1990), Henderson (1993), Storey (1993) and Sidwell (2009, 217–23). Konstan's view that speculation is "vain" seems most sober (Konstan 2011, 82).
- 5 So I derive support for my approach from Sarri (1973, 534, 548–50), Nussbaum (1980, 48–9), Edmunds (1986, 210), Mignane (1992, 98), and Andic (2001, 163).
- 6 *avidos vicinum funus ut aegros / exanimat mortisque metu sibi parcere cogit, / sic teneros animos aliena opprobria saepe / absterrent vitiis.*
- 7 Halliwell's view of the Dionysian context of Aristophanic comedy is similar to Bakhtin's view of medieval carnivals; compare Halliwell (1998, xvii–xx, xxxix–xlili). Halliwell's view is developed in Halliwell (1984a, 1984b, 1991, 1993). Influenced by Apte, Bowie suggests that Bakhtin's views are helpful in understanding Aristophanes (Apte 1985, 151–76; Bowie 1993, 11–17). Connections between Bakhtin and

- Aristophanes are explicitly developed by Goldhill (1991, 201–222), Edwards (1993), and Goldhill (1998). See especially Platter (1993, 2001, 2007).
- 8 Transgression and inversion can be subversive if they have the function of revealing everyday norms to be contingent and open to change through the “contest of public voices” (Goldhill 1991, 167–76). But when they are integral to cultic ritual, their function can be quite the opposite. In the Kronia, for example, celebrants briefly experience a time before the reign of Zeus, and so when the festival is over they can re-experience the imposition of Zeus’ justice as salvific.
 - 9 In his analysis of blackface comedy Lott draws upon Bakhtin (Lott 146), but he never loses sight of how comedy can be used by a dominant class to oppress subordinate classes. See, for example, Lott’s analysis of the 1844 song “Lubly Fan” (Lott 145–7).
 - 10 Regarding the Dionysia, Frontisi-Ducroux speaks of “the awakening of the animality nestled in the heart of the civilised” (Frontisi-Ducroux 1989, 156). But the opposite may be closer to the truth: by carving out a regular place in the ritual calendar for the Dionysia, rather than releasing the caged beast, the Dionysia is the cage.
 - 11 Detienne sees the Adonia as a reversal of the Thesmophoria (Detienne 1972). However, in my view, the anthropological dynamic involved is not structural reversal, but amplification, for example re-expressing a ritual in less restrained (for example louder) ways.
 - 12 To criticize the polis probably entails criticizing the city’s patron deity – a transgression that pious citizens will repudiate.
 - 13 Hence my view is distinct from (though compatible with) those of de Ste. Croix (1972, 355–76), Hadas (1988, 7–8), and Henderson (1998, 14). But my view is also compatible with Sidwell’s view that Aristophanes was a supporter of “radical democracy” (Sidwell 2009, 41–3, 297–8). My view gains support from Bowie’s argument that the questioning and even violation of *nomos* is a highly significant theme in the play (Bowie 1993, 107–8).
 - 14 The modern father of such views is Gomme (1938). See also Heath (1987, 1997).
 - 15 See Dover (1968, lii). I disagree with Berg (1998). Aristophanes shows that it is possible to have an interesting philosophical position while eschewing didacticism.
 - 16 Platter also goes too far when he says that Aristophanic comedy will “ridicule *anything* that makes a claim for itself” (Platter 2007, 41, emphasis added).
 - 17 Misanthropy accounts for much of what we might see as “dialogized heteroglossia” (see Platter 2007, 3–4, 67–8, 180). Although Aristophanes ridicules a seemingly unlimited variety of people and people-types, he systematically avoids ridiculing fundamentally important socio-religious *nomoi*. This is “dialogized heteroglossia” within respectably conservative bounds.
 - 18 My view gains support from Ludwig’s argument that in Aristophanes’ view, “man is in dire need of gods” (Ludwig 2002, 88).
 - 19 O’Regan (1992, 43). Freydburg is too willing to see mere cognitive competence as acumen (Freydburg 2008, 16), and he is forced to admit to Strepsiades’ “stupidity” (24) and to accept that some of his ideas are “nonsensical” (38).
 - 20 ὦ Πέρση, σὺ δὲ ταῦτα τεῶ ἑνικάτθεο θυμῷ, / μηδέ σ’ ἔρις κακόχαρτος ἀπ’ ἔργου θυμὸν ἐρύκοι / νεῖκε’ ὀπιπεύοντ’ ἀγορῆς ἐπακουὸν ἔοντα. / ὦρῃ γάρ τ’ ὀλίγη πέλεται νεικέων τ’ ἀγορέων τε, / ὅτινι μὴ βίος ἔνδον ἐπιετανὸς κατάκειται / ὥραϊος, τὸν γαῖα φέρει, Δημήτερος ἀκτίν.
 - 21 ὦ Πέρση, σὺ δ’ ἄκουε δίκης, μηδ’ ὕβριν ὀφελλε: / ὕβρις γάρ τε κακὴ δειλῷ βροτῷ: οὐδὲ μὲν ἐσθλὸς / ῥηιδίως φερέμεν δύναται, βαρύθει δὲ θ’ ὑπ’ αὐτῆς / ἐγκύρσας ἄτησιν: ὁδὸς δ’ ἐτέρηφι παρελθεῖν / κρείσσω ἐς τὰ δίκαια: Δίκη δ’ ὑπὲρ ὕβριος ἴσχει / ἐς τέλος ἐξελθοῦσα: παθὼν δὲ τε νῆπιος ἔγνω.
 - 22 χρήματα δ’ οὐχ ἄρπακτά, θεόσδοτα πολλὸν ἀμείνω. / εἰ γάρ τις καὶ χερσὶ βίῃ μέγαν ὄλβον ἔλῃται, / ἥ ὃ γ’ ἀπὸ γλώσσης λήισσεται, οἷα τε πολλὰ / γίγνεται, εὖτ’ ἂν δὴ κέρδος νόον ἐξαπατήσῃ / ἀνθρώπων, αἰδῶ δὲ τ’ ἀναιδείῃ κατοπάσῃ: / ρεῖα δὲ μιν μαυροῦσι θεοί, μινύθουσι δὲ οἶκον / ἀνέρι τῷ, παῦρον δὲ τ’ ἐπὶ χρόνον ὄλβος ὀπιδεῖ.

- 23 I am sympathetic to Bowie's use of structural anthropology to interpret Aristophanes' comedies. I therefore think it is a serious oversight on his part to miss the Hesiodic "code" as a structuring principle for *Clouds* (on Bowie's use of a "Christian 'code'" to interpret the plot of Beethoven's *Fidelio* see Bowie 1993, 1–3).
- 24 Clearly *Clouds* does not have a "happy ending," but it is going too far to call it "tragic" (Konstan 2011, 81–2 contra Hubbard 1991, 88). The end of *Clouds* is a mixture of pain (suffered by Socrates and his disciples) and triumph (enjoyed by Strepsiades), just like the end of *Acharnians* (with the pain of Lamachus and the triumph of Dikaiopolis).
- 25 See Nussbaum (1980, 81–5), Vander Waerdt (1994, 79), and Konstan (2011, 87).
- 26 I disagree with Ludwig's distinction between humor and serious ideas (Ludwig 2002, 255). We take Aristophanes' ideas seriously – and even discover what his ideas are – by discovering the point of view from which his jokes are funny.
- 27 Platter argues that to win the comedic competition, Aristophanes deliberately wrote "centrifugal" or "decentralizing" humor (Platter 2007, 37). But this aim suggests the exact opposite: to win, Aristophanes cannot settle for getting each person to laugh at least once; he needs punch lines that are instantly grasped by virtually everybody. It is not entirely without reason that snobs look down their noses at popular comedies as pandering to the lowest common denominator.
- 28 Bowie misses the joke because he sees only the novelty, not the wrongness, of the word (Bowie 1993, 107, 131).
- 29 Social hierarchy plays a repeated and important part in Aristophanes' humor. For example, Strepsiades' slaves (line 5), son (line 8), and wife (lines 47–8) all act above their station. Also, Aristophanes takes the audience down a peg when he makes them the butt of his insulting jokes (lines 1098–1101).
- 30 On "Socrates" as a conflation of many different people see Dover (1968) and Patzer (1993, xxxv–xl). It is also possible that Aristophanes is defending Prodicus by associating such objectionable activity not with him but with Socrates (Sidwell 2009, 172–5).
- 31 Contradictory pictures of Aristophanes' intentions in his jokes have been drawn from his texts (Bowie 1993, 9), but this shows at most that the task of discovering the author's intentions may not always be easy, not that it is impossible.
- 32 Bowie might object that I am failing to see how the text both affirms and deconstructs the meaning I find in it (compare Bowie 1993, 130–3). In reply, I think Sommerstein's argument suffices (Sommerstein 1994, 189).
- 33 C: I'm not asking who's on second. A: Who's on first. C: I don't know. C and A together: Third base!
- 34 Newell overlooks this repeated level of humor, and this oversight makes it easier than it should be to argue that Aristophanes' portrait of Socrates is in no way hostile (compare Newell 1999, 113–17, 119).
- 35 Platter argues that an emphasis on the body is part of the "elimination of hierarchy" and the "dissolution of spiritual hierarchies" (Platter 2007, 12). Lott, however, points out that in blackface minstrelsy the emphasis on the body has exactly the opposite function. In "wench" acts, white men transgress the color line and indulge in the inversion of cross-dressing; by these transgressions and inversions they manage to be simultaneously racist and misogynist (Lott 1993, 159–68). Crude bodily humor can be subversive, but it can also be decidedly unversive.
- 36 Platter misses the point of parodying tragedy because he is too willing to see Bakhtin's concerns in Aristophanes (compare Platter 2007, 68). If Aristophanes were simply parodying Aeschylus, he would have given Adikos a sillier version of the "problem of evil" (for example, a sexual or scatological version). As is so often the case with Aristophanes, the kind of humor involved is not parody but ridicule: Adikos' version of the argument is not a spoof, it is brilliant and powerful – if you take it seriously, that is. The humor is in the put-down, ridiculing anyone who would take such an argument seriously.
- 37 In theory, this could be the basis for a charge of "envy."

- 38 This gives me a reply to Bowie's legitimate concern about the use of structural anthropology to interpret Aristophanes (Bowie 1993, 6). Bowie has a successful reply to the worry of interpreter-relativity (if the interpreter can demonstrate absolute "points of contact" between the text and the cultural "structures"), but not to the worry of interpreter-subjectivity (that is, that the patterns recognized tell us about the pattern-recognizer and not about the image in which the pattern is recognized). My interpretation finds objective grounds in Plato's Socrates.
- 39 Sidwell's case, although largely hypothetical, would support my view (compare Sidwell 2009, 174–5).
- 40 See the American Psychological Association's "Resolution on Bullying Among Children and Youth" (www.apa.org/about/policy/bullying.pdf). I am troubled by Platter's argument that Aristophanic comedy is "unfinalizable" in Bakhtin's sense (compare Platter 2007, 5; see prior note 7) and by Bowie's argument that Aristophanes' comedy deconstructs itself (compare Bowie 1993, 130–3; see prior note). Racist, misogynist, and homophobic humor, for example, constitute unjust assaults, but we protect the assailants in their assaults if we take up hermeneutic stances that prevent us from concluding that a piece of verbal ridicule is (perhaps among other things) racist. Compare Barbara Herrnstein Smith's concerns as articulated in her 1988 book *Contingencies of Value*.
- 41 Plutarch's anecdote about a citizen voting to ostracize Aristides simply because he was annoyed to hear him repeatedly called "the just" (*Aristides* 7.5–6) is not entirely incredible.
- 42 This is also my argument against Bowie, Edmunds, and Sommerstein. We can afford to give up on looking for "authorial intent" (Bowie 1993, 9) only if we assume that Aristophanes was unaware that ridicule is a prominent effect of making someone look ridiculous. Aristophanes is guilty of a similar cognitive failing if he believed or assumed that socially prominent ridicule is causally inert (compare Edmunds 1987, n.62). Sommerstein's plea that Aristophanes may have simply been catering to "the anticipated prejudices of the theatre audience" (Sommerstein 1996, 336) is a version of the "I was only following orders" defense: social antipathy toward an individual can have terrible consequences, and humorists cannot immunize themselves from culpability if in their humor they take the side of the perpetrators and ridicule the victim.
- 43 However, if Bowie is right that Aristophanes patterns "Socrates" on *goētes* (γόητες), *magoi* (μάγοι), and the like, he may actually have aroused some antipathy toward the real Socrates.
- 44 Hence, in my view, Aristophanes' *Clouds*, together with Plato's *Euthyphro*, *Apology*, *Crito*, *Laches*, and *Charmides* (and a few other dialogues), makes for an excellent study in "intertextuality" as conceived by Julia Kristeva (for example in Kristeva 1980). But I do not want to get bogged down in the controversies surrounding intertextuality as opposed to mere allusion and influence, so I will not develop the idea further.
- 45 I agree with much of what Morrison says against reading the *Apology* as an attempt at an historically accurate reconstruction (Morrison 2000).
- 46 In addition, Bowie makes a good case for seeing a "Socrates *goēs*" (γόης, wizard) in *Clouds*, in which Aristophanes' portrait of Socrates would have reminded the audience of wandering healers, purifiers, magicians, and wizards (Bowie 1993, 112–24). Aristophanes called up something like this image with "Socrates *psuchagōgos*" (ψυχαγωγός) at *Birds* 1553–64.
- 47 The parallel with cultic ritual in these passages is explored by Dieterich (1893), Gelzer (1956, 67–8), Dover (1968), Nussbaum (1980, 73–4), Byl (1980), Marianetti (1992, 41–63), O'Regan (1992, 44–5, 163 n.53), and Janko (1997). This is juxtaposition without inconsistency because the secret "mysteries" (*Clouds* 143) give the cognoscenti a great public power, which Strepsiades comes to believe to be a very dangerous power (contra Konstan 2011, 86).

- 48 On a famous fiery nemesis, see Herodotus 1.86. On the cycle of *hubris*, *atē*, and *nemesis*, see, for example, Shapiro (1996).
- 49 This is very close to what most people think of “the Socratic method of teaching,” in which the teacher’s questions are designed to lead to the answer the teacher knows to be true.
- 50 Scholars have neglected this possibility, and it provides a combined answer to the two “more fundamental problems” with the Socratic method identified by Benson (2002, 101, 111–112).
- 51 ὑπολάβοι ἂν οὖν τις ὑμῶν ἴσως: ‘ἀλλ’, ὦ Σώκρατες, τὸ σὸν τί ἐστι πρᾶγμα; πόθεν αἱ διαβολαὶ σοι αὐτὰι γέγονασιν; οὐ γὰρ δήπου σοῦ γε οὐδὲν τῶν ἄλλων περιττότερον πραγματευομένου ἔπειτα τοσαύτη φήμη τε καὶ λόγος γέγονεν, εἰ μὴ τι ἔπραττες ἄλλοιον ἢ οἱ πολλοί. λέγε οὖν ἡμῖν τί ἐστίν, ἵνα μὴ ἡμεῖς περὶ σοῦ αὐτοσχεδιάζωμεν.
- 52 ‘οὐ καλῶς λέγεις, ὦ ἄνθρωπε, εἰ οἶε δεῖν κίνδυνον ὑπολογίζεσθαι τοῦ ζῆν ἢ τεθνάναι ἄνδρα ὅτου τι καὶ σμικρὸν ὄφελός ἐστιν, ἀλλ’ οὐκ ἐκεῖνο μόνον σκοπεῖν ὅταν πράττη, πότερον δίκαια ἢ ἄδικα πράττει, καὶ ἀνδρὸς ἀγαθοῦ ἔργα ἢ κακοῦ.

2 Socratic epistemology

Introduction

In chapter 1 I argued that Socrates relies on the authority of custom to provoke critical and self-critical questioning of custom. Ordinary Greeks were not only familiar with, but well-practiced in, making the “hermeneutic ascent,” questioning the meaning of a claim (an oracle, for example), since what it truly means can be different from what it appears to mean. Socrates was not unreasonable to think that such questioning could legitimately be focused on traditional views of the virtues. In this respect, Greek attitudes are quite different from those expressed in a bumper sticker I once saw: “God said it. I believe it. That settles it!” For Socrates’ Greeks, the legitimate interpretation of divine signs can be a tricky business, and the divine sign rarely settles anything on its own. This is one reason I think we should be less inclined than we might otherwise be to interpret Socrates as being *kerdaleos* or ironic when he claims that (i) his wisdom makes him god’s gift to Athens, although (ii) he has no great wisdom. Socrates is reasonable to assume that ordinary members of the jury will not be thrown by such apparently contrary claims but will instead take them as a puzzle: he’s not contradicting himself, he’s claiming only that he has a special kind of wisdom, not what most people probably think of at first when they hear that someone is wise.

After reporting the Delphic oracle regarding his own wisdom, Socrates reports his questions: “What does the God mean? What is he riddling?” (21b3–4).¹ Socrates then affirms that it wouldn’t be right (or permitted) for the god to lie. In other words, Socrates accepts that the oracle is true in spite of the fact that he doesn’t know what it means. In modern philosophical parlance this is like saying, “Socrates believes that P although he does not know what P stands for.” This sounds paradoxical: if you don’t know what P stands for, then how can any attitude you have toward P count as belief? The apparent paradox is dissolved if P is a riddle or puzzle to be sorted out. Socrates “believes that P” in the sense that he is sure that in the end, the proper and pious interpretation of P makes it come out saying something true.

If Diogenes Laertius is to be trusted, Socrates took such an approach with Heraclitus’ book. Allegedly, Euripides gave Socrates a copy of Heraclitus’ book and asked what he thought of it. Socrates replied, “The parts I understand are

excellent, and I think the parts I don't understand are excellent too, but it would take a Delian pearl diver to get to the bottom of it" (Diogenes Laertius 2.22).² How can Socrates say that the parts he doesn't understand are excellent if he doesn't understand them? He does not express the same level of respect for Heraclitus that he clearly has for Apollo, and yet he expresses confidence that the correct explication of Heraclitus' deeper views will make them come out saying something excellent.

Similarly, Socrates treats the virtues as puzzles. He believes that the virtues are fine, good, and self-beneficial, but he doesn't know what they are. He takes the bull by the horns: he asks what temperance is (*Charmides*), what courage is (*Laches*), and what holiness is (*Euthyphro*). Answering the "What is it?" question takes priority because the answer will allow us to sort actions: for example, answering the question "What is holiness?" will allow us to sort actions into the ones that are and the ones that are not holy (*Euthyphro* 6e3–6). Perhaps Socrates envisions syllogistic reasoning such as "All F's are holy, this is an F, so this is holy" and "All holy actions are F, no G's are F, so no G's are holy."

In section 1 I consider the question of whether this procedure is profoundly flawed. We are already familiar with a worry about such a procedure because it lies at the root of Aristophanes' chicken joke. When it comes to the grammatical gender of Greek words for animals, we do not derive the particular syllogistically from a universal grammatical rule, we simply obey the grammatical custom for each particular animal. If Aristophanes' Socrates is wrong-headed to assume that the grammatical universal has priority over the grammatical particular, is Plato's Socrates equally wrong-headed to assume the priority of the ethical universal?

Unfortunately, the classic modern statement that there is a fallacy here was misguided, as I show in section 1, because Socrates was not interested in nominal but real definitions. Correcting for this error, I point out in section 2 that Socrates himself violates the primacy of the universal. What is at work here is Socrates' mystagogic function: Socrates wants his interlocutors to feel ridiculous in confidently asserting particular claims after admitting to being confused about the relevant universal. The feeling of ridiculousness is a spur (like the bite of a gadfly) to increased moral seriousness and inquiry. Relying on recent work in epistemology, I argue in section 3 that what some have misinterpreted as a fallacious insistence on the so-called "priority of definition" is really a mystagogic urging that someone who has only an epistemically immature grasp of virtue should work to have a more epistemically mature grasp. This is not fallacious reasoning, it is hermeneutic reasoning. As with the Delphic oracle, with Heraclitus' book, and, as I argued in chapter 1, with ethical conformity in general, Socrates does not challenge conventional wisdom from a distinct liberal set of assumptions; rather he encourages people to treat conventional wisdom with a more mature intellectual seriousness than they usually do.

In section 4 I begin to spell out what Socrates *is* doing, given that he *is not* proceeding fallaciously. In the first instance, what Socrates does in dialogues like the *Charmides* and *Laches* is to refute his interlocutors' answers to his "What is it?" question regarding the virtues. Hence, I defend what is called a "constructivist"

account of Socrates' refutations because I argue that he (almost always) succeeds in giving convincing and conclusive proof that his interlocutors' answers are false. It seems to me that scholars misunderstand what Socrates is doing partly because they are looking for something like a professional epistemological theory (like what Plato sketches in the *Meno*), when Socrates has no such theory. In section 4 I point to the inadequacy of construing Socrates as offering a "burden of proof" argument and also the inadequacy of construing Socrates as relying primarily on "assumptions." What he is doing, as I argue in section 5, is following a very long tradition of "folk epistemology." Again we see Socrates' distinctively liberal conservatism: he relies upon conventional wisdom, for example "folk" epistemic strategies, to challenge conventional wisdom, for example the assumption that decent citizens know all that is worth knowing about the virtues.

Although Socrates does sometimes engage in what might be called a kind of "induction," I point out in section 6 that this is not what is going on in Socrates' dominant mode of operation. Rather, Socrates is adapting to his purposes the centuries-old "folk" practice of putting someone to the test, as Penelope put Odysseus to the test when he returned home and claimed to be her husband. We have largely inappropriate expectations of Socrates if we assume that he has an epistemology that approximates the "justified, true belief" theory. Some of these expectations lead us to mischaracterize Socrates' practice and can lead, as I argue in section 7, to renewing the allegation that there is a "Socratic fallacy."

Hence, this chapter is devoted largely to dispelling misconceptions of Socrates' philosophical activity. I do sketch what I think he is doing, but I leave the details to the following chapter.

Section 1: "The Socratic fallacy" refuted

In 1966, Peter Geach published a study of Plato's *Euthyphro* in which he identified what he called a "style of mistaken thinking" whose *locus classicus* was to be found in the Socratic dialogues. He dubbed this style of thinking "the Socratic fallacy" (Geach 1966, 371). The alleged mistake consists in committing a fallacy that Geach identifies by listing the following two assumptions:

- (A) that if you know you are correctly predicating a given term 'T' you must "know what it is to be T," in the sense of being able to give a general criterion for a thing's being T; (B) that it is no use to try and arrive at the meaning of 'T' by giving examples of things that are T.

(Geach 1966, 371)

In the extensive secondary literature on this alleged fallacy, the discussion has centered on what has come to be called "the priority of definition." For example, at *Euthyphro* 6d9–e6 Socrates says that the answer to his "What is holiness?" question will give him a *paradeigma* (exemplar) he can then use to say which actions are holy and which are not. Perhaps Socrates means to say that our use of examples is legitimized by our grasp of definitions and hence that, as Geach

would put it, our use of examples of T is illegitimate if we cannot “give a general criterion for a thing’s being T.” This style of thinking is, according to Geach, fallacious.

We know heaps of things without being able to define the terms in which we express our knowledge. Formal definitions are only one way of elucidating terms; a set of examples may in a given case be more useful than a formal definition.

(Geach 1966, 371)

What Geach rejects is the idea that it is a genuine epistemic embarrassment to show that someone who confidently asserts an action to be holy is unable successfully to answer the “What is holiness?” question.³ For comparison, consider Sakezles’ recent question, “Can one know that Dorothy’s ruby slippers are red, even if one does not know the definition of ‘red’?” (Sakezles 2000, 119). Surely it would be unreasonable to demand that someone be able to reproduce the Oxford English Dictionary’s (OED) definition of the word “red” prior to using it legitimately to comment on Dorothy’s ruby slippers. Malapropisms occur when people use words they don’t understand, but avoiding malapropism doesn’t always require the linguistic expertise of a lexicographer; usually it requires no more than ordinary linguistic competence.

Notice the OED’s first definition of the word “red”: “[1] designating the colour of blood, a ruby, a ripe tomato, and so on.” The OED doesn’t *authorize* the use of the word “red” in the case of ruby slippers; rather the OED *records* the fact that linguistic nomos authorizes the use of the word “red” in that situation. No doubt Geach would find Socrates’ invention of the word “*alektruaina*” for female chickens just as ridiculous as Aristophanes found it: we know heaps of things – for example, the correct word for female chicken – without being able to define the terms in which we express our knowledge because people with ordinary linguistic competence obey King Nomos.

Unfortunately for Geach, a conclusive refutation of his allegation is readily available. Even in his “proof-text” it is clear that Socrates asks not what the word “holiness” (ὁσιον) means, he asks what holiness is (for example at 5d7). Wolfsdorf has recently made this point by saying that “Socrates is not interested in the meanings of words, but in the identity of human virtue and its components” (Wolfsdorf 2008, 36). Geach has put his finger on a style of mistaken thinking, but this style of thinking is not Socratic.

Forster has recently revived the view that Socrates is focused on the meanings of words (or on providing “informative synonyms,” Forster 2006b, 27), but he takes quite the opposite view of Geach: Socrates is perfectly reasonable to maintain that if you don’t understand the meaning of the word “beautiful,” for example, then there is a problem if you use that word in a sentence affirming that someone is “beautiful” (compare Forster 2006b, 34–5). But contrary to Forster’s view, Socrates makes it clear that (1) he distinguishes between (a) understanding the meaning a word bears and (b) understanding the reality to which a word refers⁴

and that (2) he is more concerned about (b) than (a). Socrates explicitly grasps the possibility of two people understanding one and the same question differently (*Euthydemus* 295b7–c6), but he eschews proceeding in that fashion (c8–9). This is part of the point of emphasizing the fact that Charmides knows how to speak Greek (*Charmides* 159a6–7) and has no trouble recognizing synonyms (see 159d5). People are free to use words any way they like, as long as they make their meaning explicit (163d5–7). If Socrates wanted to ask about the meanings of various words, he could quite clearly and easily do so. He does not. Instead of asking what the word “temperance” (σωφροσύνη) means, he asks what the thing temperance is (159a10), and he even underscores the fact that he is asking about real beings (166d6).

Notice that the OED gives a second definition of the word “red”: “[2] appearing in various shades at the longer-wavelength end of the visible spectrum, next to orange and opposite to violet.” It would also be a style of mistaken thinking to insist on the primacy of this definition; after all, the fact that light is propagated in “waves” through air was discovered comparatively recently. Imagine retroactively denying to everyone prior to this discovery the right to use the word “red,” or indeed any color word.

What is not absurd is to deny that, prior to the discovery of light waves, anybody really “understood” color or light. I put the word “understood” in scare quotes for two reasons: (1) linguistic intuitions regarding epistemic terms in English vary from one person to another, and (2) epistemological theories vary from one philosopher to another. What exactly has to be involved in our relation to light waves to say that they are now “understood” isn’t clear, or equally clear to all, and even if light waves are now “understood,” it isn’t clear, or equally clear to all, that this amounts to “knowledge.” Nevertheless, it is clear that the discovery of light waves was important to our understanding of color, and so there must be some legitimate sense in which our grasp of light waves has priority: we might vaguely say that prior to understanding that light is propagated through air in waves, our understanding of light and color was comparatively poor. It is not that we couldn’t see light or color, or accurately discriminate different colors, but crucial facts about what caused there to be light and colors eluded us. In other words, the feature of reality that causes situations in which it is reasonable for us to use the word “red” at all was, at some deep level, beyond us. Facts about wavelengths of light made rubies visible to us in a distinctive way, so really it is these facts that play a primary role in our use of the word “red.” So we can distinguish between a “nominal definition,” that is an account of the relevant linguistic *nomos*, and a “real definition,” that is a scientific account of the relevant feature of reality.

A good modern contrast is the word “witch.” The OED defines a “witch” as “a female magician, sorceress; in later use esp. a woman supposed to have dealings with the devil or evil spirits and to be able by their co-operation to perform supernatural acts.” Notice the inclusion of the disclaimer “supposed.” Whereas the editors take a stance on the real nature of water (they say that it is H_2O), they take no stance on the real nature of a “witch.” No doubt some today actually believe that there are people who really have had dealings with the devil or evil spirits.

The editors of the OED, however, leave open the possibility that this is only “supposed” to be the case. But if it is not actually the case, then what accounts for the fact that we have the word “witch” in the English language?

An “eliminative” account of the word “witch” is an error-theory: witches are not real. To account for the existence of the word “witch” in English will involve using history, psychology, sociology, and so on to explain the origin, prevalence, and persistence of this error. By contrast, a “reductive” account of the word “witch” is not an error-theory but a misidentification-theory. A reductive account holds that in some sense witches are real, but the nominal definition of “witch” is seriously misleading with respect to the nature of that reality. For example, some people who were tried, convicted, and executed for being witches may in fact have suffered from schizophrenia without having had any dealings with the devil. The linguistic *nomos* associating the word “witch” with the devil may seriously misidentify the roots of the deviant behavior that made it reasonable for people to select a particular group of people for special attention. On top of that, the linguistic *nomoi* governing the use of the word “witch” lead us erroneously to collect into a single group individuals who belong in distinct real groupings. For example, some people who were tried, convicted, and executed for being witches seem not to have suffered from schizophrenia but happened to have been politically inconvenient for certain powerful people (for example women who knew embarrassing facts about socially prominent men).

Socrates makes it clear from his philosophical behavior that he rejects both an error-theory and a misidentification-theory with respect to virtue. First, Socrates rejects an error-theory of virtue when he compares virtue in the soul to sight in the eye (*Laches* 190a1–c3). To speak of a soldier fighting courageously is more like speaking of him as seeing acutely than as flying magically. Although our linguistic *nomos* authorizes us to use the word “magic” in various circumstances, there is no reality that explains magical flying because there is no such thing as magical flying. Courage isn’t like this, in Socrates’ view: there is some reality that constitutes the courage of a soul just as there is some reality of a human eye that constitutes its acute vision.

Second, Socrates rejects a misidentification-theory when he treats courage as a single, unified reality. We are not, in Socrates’ view, being misled by using a single word “courage” to identify the relevant physical reality. He accepts that what explains the courage of foot soldiers and cavalry members is one and the same state of the soul and that this very same state of the soul explains the behavior of the person who courageously faces disease or financial ruin (*Laches* 191c8–e2). Socrates accepts an especially robust anti-misidentification-theory of courage.

So we can be confident that Socrates was not guilty of the “Socratic fallacy” Geach alleged: he did not deny people the right to use virtue-terms prior to giving nominal definitions of those terms. In the first place, Socrates isn’t interested in nominal definitions at all; instead, he’s trying to discover the realities referred to by virtue-terms. If “water” picks out H₂O, then what does “courage” pick out? In the second place, Socrates is right to recognize the priority of real definitions: if there is a real definition of courage, then learning what it is will be epistemically

significant (whether or not it amounts to the difference between “knowing” and “not knowing” the relevant features of the world, whatever one happens to mean by “knowing”).

Nevertheless, Socrates’ emphasis on answering the “What is it?” question might still seem inappropriate. Exploring this further will help us understand Socrates’ philosophical behavior more accurately.

Section 2: “The Socratic fallacy” revived

Geach could easily re-formulate his allegation. When Socrates asks Euthyphro what holiness is, he is not asking for a nominal definition of “*hosion*,” he is asking about the reality that explains what makes some people and actions holy. Nevertheless, it is still true that Socrates insists on identifying this reality so that he may then use it as a *paradeigma* enabling him to determine which people and actions are and which are not holy. Perhaps Socrates is assuming a logical priority of definition according to which deducing the holiness of an action from the real definition of holiness is the only legitimate basis for asserting that a particular action is holy. Geach can still argue that “we know heaps of things without” deducing them from real definitions. No doubt Euthyphro learned at a very young age that it was impious to strike his own father, but clearly he never learned an answer to the question “What is holiness?” that would satisfy Socrates. We need not resort to cultural anthropology to support this claim.

Perhaps we have misconstrued this logical principle of priority. At *Euthyphro* 15d4–e1 Socrates uses the phrase “know clearly (*hēdēstha saphōs*, ἡδῆσθα σαφῶς, and *saphōs* . . . *eidenai*, σαφῶς . . . εἰδέναι). Perhaps he allows that we *unclearly* know heaps of things that we cannot deduce from real universals but that if we want to know them *clearly* then we must deduce them in that way. But Geach has grounds to dispute even this version: in some cases it may seem that our un-deduced grasp of particulars is as clear as can be and hence stands in no need of clarification by deduction from a real definition. Geach’s teacher Wittgenstein seems to have defended such a view in *The Blue Book*. Citing the *Theaetetus*, Wittgenstein complained, “When Socrates asks the question, ‘what is knowledge?’ he does not even regard it as a *preliminary* answer to enumerate cases of knowledge” (Wittgenstein 1958, 20). Just as Aristophanes ridicules Socrates in *Clouds* on the grounds that he looks for grammatical rules to decide what to call a female chicken, Wittgenstein objects that Socrates’ procedure is “like supposing that whenever children play with a ball they play a game according to strict rules” (Wittgenstein 25). On the contrary, “There is no one exact usage of the word ‘knowledge’; but we can make up several such usages, which will more or less agree with the ways the word is actually used” (Wittgenstein 27). Wittgenstein might say that in many cases – including that of knowledge and virtue – our grasp of the particular is much clearer than our grasp of the universal since the universal has only the fuzzy boundaries of a family resemblance (Wittgenstein 20).

Wittgenstein seems to attribute to Socrates not only a *logical* priority of definition, but also a *chronological* priority of definition: “there is something wrong

with the ordinary use of the word ‘knowledge’ . . . perhaps we have no right to use it” before defining it (Wittgenstein 27). Socrates’ response to the Delphic oracle, however, shows a disentangling of logical and chronological priority. Socrates disavows knowledge of the universal (what wisdom is when the oracle asserts that no one is wiser than Socrates) at a time when he would confidently assert⁵ the particular (no one is wiser than Socrates) since it is not permitted for the god to lie (*Apology* 21b6–7). He later identifies exactly what wisdom is (*Apology* 23a5–b4), and he then is able to use the universal as a *paradeigma* to say who is not wiser than Socrates (*Apology* 23b4–7).

Because he rejects the chronological priority of definition, Socrates’ actual philosophical practice is less objectionable than Wittgenstein makes it out. When Socrates asks Charmides what temperance is, Socrates explicitly affirms Charmides’ linguistic competence: “So since you know how to speak Greek, you should be able to say what temperance seems to you to be” (*Charmides* 159a6–7). When Charmides says that temperance is quietness, Socrates readily accepts that people do speak of the temperate as being quiet (159b7–8). In other words, “so far so good.” Competent speakers of Greek use the word “*sōphrosunē*” perfectly well, and there is no need to balk at this usage despite the fact that Charmides has not yet satisfied Socrates that he has properly stated the real definition of temperance. Far from objecting to the legitimacy of linguistic competence, Socrates explicitly relies on it.

What is more remarkable is that even when their quest for an answer to the “What is temperance?” question ends in repeated failure, Socrates is no less happy to use the word in accordance with common usage. He never suggests that he or Charmides should cease using the word on the grounds that they are unable to answer the question satisfactorily. Socrates plays up their failure to discover the real definition of temperance and yet (1) he asserts that Charmides’ soul is superlative in temperance (175e1), (2) he implies that Charmides is temperate by refusing to believe that he derives no benefit from his temperance (175e1–2), (3) he confidently asserts that temperance is a great good (175e6–7), and (4) he confidently asserts that the degree of one’s happiness varies directly with the degree of one’s temperance (176a4–5). Clearly Socrates rejects the chronological priority of definition.⁶

We might perhaps be concerned at 176a1 where Socrates shifts to the hypothetical mode: “if you have it.” Perhaps their failure to discover what temperance is justifies an increased tentativeness when making assertions about particular actions and individuals. This tentativeness doesn’t sit well amidst the other confident assertions. Were the confident assertions verbal errors on the part of a young Plato who is not yet master of the craft of doctrinally consistent philosophical writing? I think not. The awkwardness is a form of cognitive dissonance that is genuine: (a) their use of the word “*sōphrosunē*” in particular cases really does seem legitimate, although (b) they have not yet discovered the universal temperance, and (c) this gives them reason to be uncertain of their ability to identify any particular temperance. On Wittgenstein’s and Geach’s account of Socrates, we would expect him to give up (a) once he accepts (b) and (c), but this is precisely

what Socrates does not do. The point of my adding the word “really” in to (a) is to indicate the fact that giving up (a) is not easy. Socrates wants Charmides to feel and wrestle with the cognitive dissonance: he does possess the cognitive competence to detect temperate actions and individuals, so why can’t he detect what temperance is? This is a deliberately pointed way of furthering Socrates’ mystagogic objective with Charmides: Socrates does not want Charmides to give up in frustration or despair, but he also does not want Charmides to continue the investigation for purely theoretical reasons – he wants him to pursue the investigation of temperance at least partly as an investigation into his own ethical competence on the grounds that the value and quality of his life depend upon it. The pursuit of wisdom must be, in Socrates’ view, not only a critical, but also a self-critical and perhaps even a self-transformative, process.

My second reason for thinking that Socrates’ confident assertions are not errors, and are not to be attributed to a lapse in judgment on the author’s part, is that Socrates does this elsewhere, suggesting that Plato included this point deliberately. After a lengthy but aporetic discussion about friendship with young men whom all consider to be friends, Socrates persists in affirming his ability to identify the particular, despite being unable to identify the universal satisfactorily.

Now then, Lysis and Menexenus, I have made myself ridiculous, being an old man, and you two as well. For going away, these people will say that we think we are friends of one another – for I place myself in with you – and yet what a friend is we have not been able to discover.⁷

(*Lysis* 223b4–8)

At *Hippias Major* 286c5–d7 Socrates expresses what seems to be a related form of embarrassment having to do with fineness (see also 304c1–e5). A related emotion seems implicated by facts related to holiness in the *Euthyphro* (see 6e3–6 and 15d4–e2, especially *ēschunthēs*, ἡσχύνθης, at d8).⁸

At *Laches* 190b7–c2 and at *Meno* 71a3–b8, 100b4–6, Socrates seems to generalize this point to include all virtue.⁹ He seems to make a completely general statement of a related principle at *Laches* 189e3–190b1 (see *hotououn peri*, ὁτοουὺν περί, at 189e3). If he really does intend this to be a completely general principle, then it seems to me it should be dubbed “the principle of the priority of the universal,” and it should be defined thus:

If you admit to being confused about a universal, then you look ridiculous when you confidently claim to identify particulars that fall under it.¹⁰

A serious problem results, however, if Socrates’ “*hotououn peri*” at *Laches* 189e3 is literally intended by Socrates to affirm an unrestricted principle: at *Phaedrus* 230a2 Socrates makes it clear that he isn’t embarrassed at all to accept a claim about Boreas without being able to answer the question, “What is Boreas?” In mythological matters, Socrates is content to follow custom without question or embarrassment. Furthermore, Plato clearly sees that the principle of the priority

of the universal needs to be qualified by specifying (1) the kind of confusion that is relevant and (2) the range of universals over which this principle is meant to apply (see *Republic* 7.523a10–524b2; and see, for example, Irwin 1995, 160–8).¹¹ So I take Socrates' "*hotououn peri*" at *Laches* 189e3 not as extending the particular versions of the priority of the universal to every universal (including ones that have nothing to do with virtue), but as nearly vacuously circular: in any case where the universal has priority – and there are numerous cases (this qualifier makes the claim not entirely vacuous) – you look ridiculous confidently asserting the particular when you admit to being confused about the universal. So I think that we ought not attribute the principle of the priority of the universal to Socrates in all its generality: he clearly thinks that ridiculousness ensues if we violate this principle with respect to being someone's *philos*, and to some other cases, but he does not think that ridiculousness ensues if we violate this principle with respect to Boreas. He seems to approach this on a case-by-case basis.

Benson makes the best argument for attributing a general principle to Socrates (Benson 2013, 153–4). Benson's inference to the best explanation assumes two things: (1) Socrates' particular endorsements of the priority of the universal need to be explained, and (2) particular endorsements are not sufficiently well explained by the relevant particular beliefs. While I agree with (1), I reject (2). When Socrates says in the *Lysis* that he's made himself ridiculous, we can explain the ridiculousness by citing the relevant beliefs about being someone's *philos*. *Lysis* and Menexenus claim to be *philo*i, but they are confused about whether that means their relationship is a mutual one (211d6–213c9), whether it is based on similarity (213d6–215c2) or difference (215c4–216b2), and they can't even say what the point of the relationship is (222b3–e7). Once they admit to being confused about all that (and more), they should look at one another and blush with embarrassment at how shallow they've been. They don't need to be so rash as to stop believing that they are friends or to stop calling one another friends, but surely they have now reached a point where they can and should come to a more mature¹² understanding of what this close and important relationship is. Claiming to be someone's friend when you admit to being confused about what being someone's friend is sounds ridiculous on its own, as it doesn't derive its ridiculousness from a general epistemic principle.¹³

Similar arguments can be made about Socrates' other particular versions of the priority of the universal. Euthyphro looks ridiculous partly because, by his own admission, talk of holiness involves us in talk of what is and is not dear to the gods (*Euthyphro* 6e10–7a1). Claiming to know what is dear to the gods may be ridiculous on its own, but Euthyphro makes himself appear absurdly conceited after admitting that even the gods differ on what is and is not dear to them (7b2–8a9). Meno looks ridiculous partly because of the very particular reason he himself cites: he's lectured on virtue many times, but just a few minutes with Socrates and he sounds like a numbskull on the subject (*Meno* 80b1–4). In the *Hippias Major* Socrates recounts an incident where he was shooting his mouth off about what was fine and disgraceful in certain compositions when he was challenged to say what fineness is (286c5–d2). Although Socrates describes his interrogator

as hubristic (c8), under those circumstances I am inclined to think the question a fair one. Perhaps it is unfair to put someone on the spot and challenge them to state the proper standards for a particular kind of composition, but not if they have just been pontificating about what is and is not fine in that particular kind of composition.¹⁴ (Notice also the embarrassment that Generals Nicias and Laches have every right to feel when they turn out to be unable to say what courage is and the embarrassment Charmides might easily feel at his inability to say what temperance is when he is used to being called a paragon of temperance.) Perhaps if Socrates thought that fineness were in the eye of the beholder and that its only significance was that its presence could produce a feeling of harmless delight (compare *Republic* 2.357b7) he might not feel at all embarrassed at his inability to say what it is (“I just know it when I see it,” he might add). But given his other admissions about fineness, that option doesn’t seem open to him, and so I’d say that he was right to feel embarrassed by his interrogator. In each case, we can explain and justify the ridiculousness of the situation by the particulars of the situation. Socrates is right to affirm particular versions of the priority of the universal even if he does not simultaneously affirm a general version.

A general priority principle seems pretty clearly false. Sometimes it is not ridiculous to feel more confident in one’s claims about concrete Fs than about F-ness in the abstract. I am sometimes confident in identifying particular men as being bald, although I admit to being a bit confused about baldness as an abstract concept, and I don’t feel at all ridiculous in this. Similarly, I freely admit to being confused as to why some Greek names of animals have only one grammatical gender while others have two. But although I cannot identify a universal principle validating these practices, I nevertheless confidently assert that “ἡ ἀλώπηξ” is the correct Greek word for a male fox, the feminine definite article notwithstanding. This confident assertion is not ridiculous despite this admitted confusion. As I pointed out earlier, Plato clearly sees that the principle of the priority of the universal needs to be qualified.¹⁵ The completely general version of the principle I gave earlier seems problematic, and I am not at all confident that it is true or even reasonable. But the particular versions upon which Socrates relies do seem reasonable.¹⁶

We have, therefore, a definitive reply to Wittgenstein. Insofar as Socrates is searching for real universals, the enumeration of particulars cannot possibly be even a *preliminary answer* to his question (compare Santas 1972, 129–30). However, because Socrates rejects the chronological priority of the universal, when it comes to (a) people who are wiser than Socrates, (b) Charmides being temperate, and (c) Lysis, Menexenus, and Socrates all being friends, an ability to enumerate cases is indeed a *useful preliminary* to answering the question about the universal. Both prior to finding the universal, and after admitting that they are confused about the universal, Socrates is nevertheless willing to assert the particular with some confidence, although his confidence does sometimes falter, and he does admit to feeling ridiculous in making such assertions after admitting to his confusion. If Wittgenstein would deny that he would look ridiculous in those circumstances, then he falls on Aristophanes’ side of this dispute.

If I am right that the important issue has to do with the particular principles of the *priority of the universal*, then we should dismiss the worries over a “Socratic fallacy” arising from the *priority of definition*,¹⁷ that is, the view that we must know what F-ness is prior to knowing other things about F-ness. Asking whether definitional knowledge takes priority in this way is like asking whether we can sensibly inquire into what we know or what we do not know (see *Meno* 80e1–5) or like asking whether it is the wise or the ignorant who learn (see *Euthydemus* 275d3–4). Socrates can deftly solve such paradoxes if he has a mind to do so (see *Euthydemus* 277e5–278b2, *Meno* 81a10–e2), but these can be mere “games for students” (*Euthydemus* 278b2) and so might best be handled by the likes of Prodicus (*Euthydemus* 277e4, *Meno* 75e3). Such games are not entirely useless, but Socrates rarely plays them (he plays this kind of game with Theaetetus at *Theaetetus* 154c1–155c7).

Along such lines we might wonder if Socrates’ view conceals a paradoxical commitment like this: if A fails to know what F-ness is, then A fails to know anything about F-ness, despite the fact that knowing something about F-ness is our only route to knowing what F-ness is. I suspect that Socrates would either hand this game over to Prodicus, or he would give it almost exactly the same solution that he gives to the initial games played by Euthydemus and Dionysodorus. For example, if we distinguish “*sunienai*” (συνιέναι) from “*manthanein*” (μανθάνειν, *Euthydemus* 277e5–278a5) then we can distinguish “s-learning” from “m-learning” and say that s-learning about F occurs when someone knows what F-ness is and uses that knowledge to s-learn more about F-ness, while m-learning occurs when someone doesn’t know what F-ness is and relies upon what they do know to arrive at the knowledge of what F-ness is. If we like, we might even distinguish two kinds of “knowledge” – e-knowledge (from *epistamai*, ἐπίσταμαι, 277e7–278a3) and o-knowledge (from *oida*, οἶδα, 278a7) – and say that s-learning about F occurs when someone has e-knowledge of what F-ness is and uses that e-knowledge to s-learn more about F-ness, while m-learning occurs when someone doesn’t have e-knowledge of what F-ness is and relies upon what he or she o-knows to arrive at the e-knowledge of what F-ness is. While this suggestion could spawn a new industry in the philosophical literature today, Socrates shows little interest in it.¹⁸ This approach to the problem saps all the ridiculousness out of the situation when you admit that you are confused about what a friend is, for example, despite the fact that you confidently say that you are a friend to Lysis.¹⁹

What is important to Socrates about his priority principle is the discomfort he and his interlocutors feel in their current cognitive condition regarding the universal at issue. This is the gadfly aspect of the mystagogue’s mission: the mystagogue doesn’t drag the *mystēs* to the sacred precinct against his will. The mystagogue helps the *mystēs* on a willing journey. Socrates doesn’t bother explicitly stating or delimiting a general principle of the priority of the universal, nor does he bother developing a tidy and coherent terminology to describe the ridiculousness of the situation in which he puts his interlocutors; his goal is to make them *feel* the ridiculousness, not *describe* it. In dialogues like the *Charmides* and *Laches* Socrates gives very little attention to the nature of knowledge, and so we should

not expect to find in his philosophy much in the way of distinct *conceptions* of knowledge (Bett 2011, 226). However, from this it does not follow that Socrates never distinguishes between *levels* of knowledge: the ends of both the *Charmides* and *Laches* express dissatisfaction with their current epistemic state and suggest that they ought to strive for something superior. He doesn't give us much to go on in distinguishing these levels, so our expectations should be modest.

Section 3: Socratic dogmatism

If I am right so far, then we have no reason to think that Socrates proceeds fallaciously. If we are nominalists about universals, then we will object to his quest for real universals, but aside from this concern, there is no fallacy in using common-sense moral terms to provoke cognitive discomfort in the use of commonsense moral terms. To understand the view I see in Socrates' philosophical behavior, consider the position defended recently by James Pryor. Pryor gives an analysis of Cartesian-style skepticism according to which skepticism assumes the following principle of epistemic justification:

If you're to have justification for believing a proposition *p* on the basis of certain experiences or grounds *E*, then for every *q* which is "bad" relative to *E* and *p*, you have to have antecedent justification for believing *q* to be false – justification which doesn't rest on or presuppose any *E*-based justification you may have for believing *p*.

(Pryor 2000, 528)

For example, if I am to be justified in believing that (*p*) my office keys are in my pocket on the basis of (*E*) my experience of putting my hand in my pocket and feeling my office keys there, then the Cartesian skeptic will insist that I already be justified in believing it to be false that (*q*) I merely dreamed that I put my hand in my pocket and felt my office keys there and will insist further that this justification not rest on or presuppose that I am justified in believing that I just pinched myself to be sure that I was awake and not dreaming. Pryor rejects this principle, and to clarify his position he draws a distinction between "(i) the epistemic *status* of being justified, or having justification for believing something; and (ii) the *activity* of defending or giving a justifying argument for a claim" (Pryor 535). He says that it "can be reasonable for you to believe something even if you're not able to show that it's reasonable or explain what makes it reasonable." He approvingly quotes Robert Audi:

It would seem that just as a little child can be of good character even if unable to defend its character against attack, one can have a justified belief even if, in response to someone who doubts this, one could not show that one does.

(Pryor 2000, 536; Audi 1993, 145)

Again we see the appeal to children. As with Wittgenstein, I don't think that the appeal to children is intended to do anything other than to focus our attention on

the simple fact of linguistic competence. We might use adults who are learning English as a second language instead of children, but I'll stick with the example of children since Plato so often makes a point of having Socrates talk to young men – and indeed the charges against him involved the claim that he corrupted the youth.

We might distinguish between epistemic “immaturity” and epistemic “maturity.” Pryor's point could be expressed by saying that “epistemic immaturity” is the condition someone is in when their belief has the status of being justified, but they are unable to complete satisfactorily (or perhaps even to begin) the activity of explicitly justifying it. Pryor makes it clear that identifying or emphasizing the obviousness of belief would not count as “justifying it” in the relevant sense. The justification must be one that does not beg the question against those who doubt the belief. “Epistemic maturity,” then, will be the condition someone is in when their belief has the status of being justified and they are able satisfactorily to complete the activity of explicitly justifying it, even to the satisfaction of doubters. For example, we might say that I currently am justified in believing that $E = mc^2$, even though I am epistemically immature with respect to this belief because I couldn't even begin to expound Einstein's proof.

Pryor, Audi, Wittgenstein, and Geach can all accept that there are cases where it is reasonable to expect or even to demand that someone work to become epistemically mature in certain regards. For example, when a baseball umpire signs his very first professional contract, we have every right to expect him to know the rules of baseball in such an explicit manner that he not only can tell when a batter is out, but he can explain and justify his judgments by properly quoting, citing, and explaining the rules of baseball. Epistemic maturity with respect to the rules of baseball is both logically and chronologically prior to authoritatively calling a player out in a professional baseball game: it is chronologically prior because it is something one must possess before one steps out onto the field to umpire a game, and it is logically prior because authoritatively calling a player out must involve derivation from the rules of the game, for example, “According to rule x, a player in situation y is out; but this player is in situation y, therefore this player is out.”

If Socrates is the conservative/liberal mystagogue I've described so far, then his philosophical activity assumes something like this distinction between epistemic immaturity and epistemic maturity. As I argued in chapter 1, section 5, the mystagogic mission is not conversion. The initiate isn't to be converted from one set of beliefs or values to a distinct and incompatible set; the esoteric doctrines do not contradict the exoteric doctrines, they provide a deeper understanding of them. Socrates mystagogos takes individuals who are justified in holding a number of conventional beliefs about virtue and provokes them to begin the task of actively justifying them.

Obviously Socrates cannot have Pryor's exact notion of epistemic im/maturity because Pryor explicitly develops his notion in relation to Cartesian skepticism, and it is in this light that he understands the crucial notion of “justification.” What we can be sure about in relation to Socrates is that epistemic maturity focuses on answering his “What is it?” question. Beyond that, it is difficult to say what Socrates' epistemology is, or even whether he has one. I will argue in the next

chapter that Socrates has an epistemically sophisticated *method*, but in dialogues like the *Apology*, *Charmides*, and *Laches* (as opposed to dialogues like the *Meno*, *Republic*, and *Theaetetus*)²⁰ I cannot find an explicit *methodology*. On top of that, his method is directed to discovering the answers to his questions, and so even if we did have his methodology of *discovery*, it would not necessarily help us understand the cognitive state of someone who is fully epistemically mature.

Socrates is impressed with the cognitive condition of artisans, and he freely admits that it is superior to his own (*Apology* 22c9–d4). He often refers to examples of what we might call “craft knowledge” as helpful illustrations of the sort of thing he is looking for when he looks to answer his “What is it?” question (for example, *Charmides* 174b11–175a8, *Laches* 198d1–199a5). But rather than indicating what more precise notion of cognitive maturity Socrates has, these passages give us grounds to object if Socrates were to offer an account of craft knowledge, since by his own admission he lacks it. We will have even greater grounds for objection if he intends to claim that medical doctors, generals, shoemakers, pilots, and weavers all possessed “craft knowledge” in precisely the same way. At best Socrates can only be gesturing somewhat vaguely to cognitive conditions that are commonly recognized to be advanced and admirable.²¹

But, one might ask, if we look more carefully at Socrates’ various apparent avowals and disavowals of knowledge, can we not see in Socrates’ philosophy either an explicit or at least a tacit distinction between two forms of knowledge, for example a weak form of knowledge and a stronger form of knowledge (Vlastos 1994, 55–56) or a common as opposed to an expert form of knowledge (Reeve 1989, 37–62; Woodruff 1990, 79)? Or perhaps he relies implicitly on a distinction between *knowing that* and *knowing why* (Bolton 1993; Brickhouse and Smith 1994, 39–44; Brickhouse and Smith 2000, 105–9). Perhaps. My view is not incompatible with such views, but it doesn’t require any of them.

My deflationary suspicion is that Socrates lacks an epistemology. In his cultural context, crafts were commonly recognized forms of mature expertise, and so an effective way to underscore the importance of having a greater epistemic maturity with respect to virtue would be to suggest that such maturity is, *in some way or other*, like “craft knowledge.” Probably Aristotle was right to say that Socrates sought to syllogize (*Metaphysics* 1078b17–29), and “craft knowledge” might seem to provide familiar examples of the relevant sort of syllogizing. For example, we might think that medical doctors reason as follows: in condition x, therapy y results in health (see *Charmides* 174c5, *Laches* 198d5–6); this man is in condition x, therefore in this man’s case, therapy y results in health. Socrates seems to allow probabilistic prescriptions since he says that the general has a “finer knowledge” than the seer of what is happening and what will happen (the comparative is compatible with an acceptance that the future is, to a large extent, unknowable, *Laches* 198e5–199a1). So perhaps he envisions syllogisms like this: in circumstances x, action y has the best chance of securing victory; we are currently in circumstances x, and so action y has the best chance of securing victory. But of course this is of little help: even a seer can syllogize, but we don’t put him in charge of the general; we put the general in charge of the seer because

the general's knowledge is finer (*Laches* 198e4–199a3). The real work here is being done not by the syllogism, but by the fact that the general's knowledge is finer than that of the seer, but what its superior fineness consists in isn't precisely determined.

Nevertheless, the distinction between merely having justified beliefs and actually being able to justify one's beliefs – epistemic immaturity as opposed to maturity – is enough to exonerate Socrates of the charge of committing “the Socratic fallacy” and to exonerate Plato of the charge of inept philosophical writing at the ends of the *Charmides* and *Lysis*: it is no fallacy to urge people from epistemic immaturity to epistemic maturity with respect to such important issues as temperance and friendship, and it is not inept for an author to play up the awkwardness and embarrassment of the beginning of this process when one realizes that one possesses justified beliefs that one is unable to justify.

The Socratic fallacy, then, if there is one, might be in assuming that because one ought to strive for epistemic maturity in some matters, one ought therefore to strive for it in all matters (compare Burnyeat 1977, 393). For example, the fact that it proved worthwhile to pursue epistemic maturity with respect to medicine (see *Phaedrus* 270c1–d7) does not entail that it would be worthwhile to pursue epistemic maturity with respect to the grammatical gender of words for animals in Greek.

Socrates is innocent of this style of mistaken thinking. While strolling beside a stream, Phaedrus asks Socrates if they are near the place where Boreas is said to have abducted Oreithuia (*Phaedrus* 229b6). Socrates not only can identify the precise location where people say this happened, but he also can relate an alternative version of the story and add in details with which Phaedrus seems unfamiliar. Taken somewhat aback, Phaedrus asks whether Socrates actually believes these myths to be true (229c4–5). Socrates points out that some people come up with sophisticated accounts of how the myths could be fantastic versions of more ordinary phenomena: for example people say that the north wind, Boreas, abducted the maiden Oreithuia because a girl was once blown off a cliff by a sudden gust of wind. Socrates calls these people clever, but he also says that they go to an awful lot of trouble coming up with these accounts. For his part, Socrates thinks it's not worth the trouble, and so he simply believes (*peithomenos*, πειθόμενος, 230a2) the ordinary stories. He is perfectly content with an epistemically immature acceptance of conventional ways of speaking, and he shows no signs of thinking that his credulity makes him ridiculous.

Socrates does not commit the fallacy of inferring that because we ought to pursue epistemic maturity in some areas, we ought therefore to pursue it in all areas. In fact, if there is a fallacy here at all it would be the contrary inference: because we ought not pursue epistemic maturity in some areas, we ought not pursue it in any. Allow me to take a page from Socrates' book and use the authority of conventional wisdom to undermine the authority of conventional wisdom. Parents sometimes tell their children that if their friends are encouraging them to do bad things, then they are not really friends at all. Notice that here we have a case where the very same people who originally instructed their children in the correct use of

the word “friends” encourage them not to rest content with their original instruction. A Wittgensteinian child might be perplexed and respond, “But mummy, there is no one exact usage of the word ‘friend.’ We can make up several such usages, which more or less agree with the ways the word is actually used, but as you yourself taught me not so long ago, my schoolyard playmates are properly called my ‘friends,’ and so your current insistence that I critically reflect upon the word is most inappropriate.” The oddness of this reply consists in more than its precocity. Children are psychologically and socially immature, and the extent to which they can engage in friendship is limited to things like playing non-violently with others for short periods of time. But as they grow, parents are right to expect their children to mature both psychologically and socially and, as a result, to expect more from at least some of their friendships. It is important for children to learn how to develop criteria and standards and learn how to apply them independently of, and perhaps even in contradiction to, the promptings of linguistic competence. To hold unswervingly to one’s childhood beliefs is to be dogmatic.

Pryor explicitly identifies his position as a variety of “dogmatism,” which he defines in the following way:

The dogmatist about perceptual justification says that when it perceptually seems to you as if *p* is the case, you have a kind of justification for believing *p* that does not presuppose or rest on your justification for anything else, which could be cited in an argument (even an ampliative argument) for *p*. To have this justification for believing *p*, you need only have an experience that represents *p* as being the case. No further awareness or reflection or background beliefs are required.

(Pryor 2000, 519)

We might say that Socrates is mythologically dogmatic not because he accepts traditional myths, but because his acceptance does not rest on his justification for anything else, for example the reliability of the mythological sources. Socrates’ belief deliberately involves no scrutiny, reflection, or research regarding the basis for belief or the basis for the truth of the myths, nor does he think any analysis of his background beliefs relevant to the myths is required. Although he offers no reason for his belief, he does offer a reason for his deliberate lack of reason for belief: “I am unable to know myself, according to the Delphic inscription, and it seems ridiculous to me to inquire into other things when I am ignorant of this”²² (*Phaedrus* 229e5–230a1). We don’t have time to inquire into everything, so we rest content with our immature grasp of many things, focusing carefully on the important things. Dogmatism with respect to traditional myths may be perfectly legitimate – at least to the extent that it is perfectly harmless.²³

Socrates is comfortable being ethically “dogmatic” in something like Prior’s sense: when he first asks Charmides what temperance is, he says that if temperance is truly in him, then it will give him a “perception” (*aisthēsin*, αἴσθησιν, *Charmides* 159a2) of it, and since he knows how to speak Greek (*hellēnizein*, ἐλληνίζειν, 159a6), he is perfectly competent to state the opinion this perception

gives him. To combine the terminology of Geach and Prior, Socrates accepts that Charmides is correctly predicating terms simply because it perceptually seems to him that his predication of terms is correct and because Charmides is a competent speaker of the language. Socrates can accept that Charmides correctly identifies “heaps of things without being able to define the terms” he uses to convey these identifications to others. If the issue were mythological and not moral, this would be the end of it. The exact spot where Boreas abducted Oreithuia can be added to the “heaps of things” easily identified “without being able to define the terms in which” the identification is expressed, and if “know thyself” were not an important component of Greek ethical common sense, then how things perceptually seem to Charmides with respect to temperance could be added to the heap.

So in the end, I see in Geach and Wittgenstein the same sort of dogmatism that I see in Aristophanes. Each rests content with an epistemically immature grasp of things Socrates thinks well worth studying in depth: holiness for Geach, knowledge for Wittgenstein, and a wide range of philosophical subjects for Aristophanes. Socrates’ more Delphic attitude strikes me as superior and more in harmony with Greek ethical *nomoi*.

Section 4: Socratic refutation

Given that he is not proceeding fallaciously, how exactly does Socrates help his interlocutors advance from epistemic immaturity to maturity regarding virtue? So far I have used the general idea of promoting cognitive dissonance, tension, and discomfort. More exactly, what he does to provoke his interlocutors to dissatisfaction with their current cognitive state is to *refute* them (*elenchō*, ἐλέγχω, *Charmides* 166c5, 7, e1, 2; *Laches* 189b2; *Apology* 21c1, 29e5, compare *Lysis* 211b7 and *Apology* 18d5, 7, 39c7, d1).²⁴

Consider *Charmides* 159b5–160d4. Socrates asks Charmides what temperance is, and Charmides’ first answer is that it is calmness (*hēsychiōtēs*, ἡσυχιότης).

“It seems to me,” he [Charmides] said, “that in short, what you ask about is calmness.”

“You speak well,” I [Socrates] said, “people do say the calm to be temperate. But let us see if there is anything to it. Tell me, isn’t temperance among the fine things?”

“Certainly,” he said.

“And when you are at the writing master’s, is it finer to write the same letters quickly or calmly?”

“Quickly.”²⁵

(*Charmides* 159b5–c5)

Notice that the refutation is not a direct *modus ponens* in which Socrates affirms some claim C that is unfamiliar or objectionable to Charmides and then affirms that C entails that temperance is not calmness. When Charmides answers Socrates’ first question, Socrates does not respond with anything like, “No, you are wrong,

and I'll show you why temperance cannot possibly be calmness." This is how he might refute claims if he thought that he knew all about the subject himself, which he outright denies at 165b7–c1.

Socrates' actual refutation differs from this direct *modus ponens* approach in at least two ways. First, as is appropriate for a mystagogue, Socrates does not appeal to any claims that are alien to Charmides. The mystagogue takes the initiate on a willing journey that makes sense to him according to his own current beliefs and values. When the refutation of Charmides' belief happens, Charmides himself has to be the one to affirm that by his own lights, according to his own judgment, his answer to the original question was wrong.

A second way in which Socrates' refutation differs from the direct *modus ponens* approach is that it is better characterized as an indirect *modus tollens* refutation:

- (1) If temperance were calmness, then calmly writing letters would be finer than quickly writing the same letters.
- (2) But calmly writing letters is not finer than quickly writing the same letters.
- (3) So, temperance is not calmness.

Socrates' intelligently chosen questions lead Charmides to expect to find something that in fact he does not find when he examines the relevant activities. By his own estimation, if temperance = calmness, then calm writing would be finer than quick writing, but obviously it isn't, and so by his own estimation temperance is not calmness.

Although this is a refutation, we might call Socrates' argument "constructive" because in a sense it makes progress: at least they've discovered one thing that temperance is not: calmness. I defend a "constructivist" account of Socrates' philosophical activity. I will return to the structure and constructive nature of this argument in the next chapter. Seeing it as a *modus tollens* refutation is approximately true, but a more fine-grained analysis, which I give in the next chapter, will help us see more of what Socrates is doing.

Notice that this unassuming little argument leads from "dogmatism" (as defined in the previous section) and epistemic immaturity to a somewhat more mature epistemic condition. Right from the start Socrates encourages Charmides to examine his temperance (if he has it) perceptually, and he explicitly affirms Charmides' linguistic competence. Charmides is a schoolboy, and he is no doubt directly perceptually acquainted – both in his own case and in the cases of his schoolmates – with writing that is done quickly and writing that is done calmly. If he is competent to notice fine writing when he sees it, then premise 2 is true and Charmides is justified in believing it even if he is unable to complete – or even begin – the process of explicitly justifying it. But further, if he is competent to notice fine writing when he sees it, then presumably he is competent to notice that temperance is among the fine things. Socrates secures Charmides' agreement to this claim as he might to the claim that the table before them is among the flat things. So both premises seem to be treated as truths that are evident to the senses. There is a tacit assumption in this argument, namely that doing something quickly

(*tachus*, ταχύς) is incompatible with doing it calmly (*hēsuchōs*, ἡσυχῶς, and *bradus*, βραδύς). This sounds jarring in English but not in Greek, and since Charmides is linguistically competent and since both accept this assumption, Socrates is justified in treating it as true. A valid argument with true premises is sound, and so its conclusion must also be true.

Notice that this elenchos does not take a “burden of proof” approach. Such an approach would be familiar to Socrates and his companions from the way issues are often debated in the *Ekklēsia* (for example, Thucydides 3.36–48). Socrates’ refutation is not like this. When a case has been made against a proposal, there is no suggestion that a case in support of the proposal be considered. With only one exception in the *Laches*, which I will consider later, the case Socrates makes against the interlocutor’s proposal is treated as conclusive, and as we shall see, even in that one exception, there is no weighing of evidence for and against the proposal to see which side has borne the alleged burden of proof better. At first glance, and, I will argue in the next chapter, on further consideration, Socrates gives convincing and conclusive proof that his interlocutor’s proposal is in fact false.

Socrates seeks the truth (*Charmides* 161c6, 165b7–c2, and 166c7–d6), so in his discussion with Charmides, a significant part of Socrates’ concern is to encourage Charmides to focus on and pursue the truth. So the single most important utterance in this refutation is at 160d4 where Charmides says, “you seem to me to have spoken correctly, Socrates.” Charmides isn’t afraid to admit that he was wrong; the truth is more important to him than his pride – or rather, he takes more pride in getting to the truth than in not being refuted. This willingness to accept a refutation and move on is something whose significance we professional philosophers often overlook. I recently taught a course on assorted moral issues, and I encountered resistance from several students who insisted that it was absurd to consider reasons for and against specific moral beliefs. In their view, people will always end with exactly the same beliefs they started with no matter how good the arguments are. If these students, together with Euthyphro, are representative of the wider population, then Charmides’ willingness to go along with Socrates is perhaps the single most significant feature of the entire dialogue. It is an important part of Socrates’ mystagogic mission to provoke people to behave as Charmides does: he encourages his interlocutors to feel no embarrassment at admitting they held a false belief and so were fooled.

Our view of Charmides’ behavior would be very different if we are non-constructivists. If Socrates has not refuted his definition, if he has only proven that Charmides does not know that his proposal is true – something he would no doubt freely admit anyway since it is little more than a guess off of the top of his head – and yet Charmides gives it up anyway, then he is too compliant. If he gives up at the first sign of trouble without actually having his proposal proven to be false, and without taking up the burden of proof to provide a counter-argument in support of his view, then he is unassertive in a way that makes him look less than admirable, and Socrates is taking unfair advantage of someone who is excessively accommodating, and so he too will look less than admirable.

A Cartesian will be unimpressed by Socrates' proof. The premises are far from indubitable and so stand in need of proof themselves. But we needn't appeal anachronistically to Descartes to raise this sort of concern. In the *Meno* Plato suggests that knowledge (*epistēmē*, ἐπιστήμη) is true opinion together with an explanatory account (*aitias logismō*, αἰτίας λογισμῶ, *Meno* 98a3–4). He doesn't say what an explanatory account consists in, but it is probably not too misleading to say that here Plato has developed a recognizably professional philosophical theory of knowledge, laying down a set of jointly necessary and sufficient conditions for it to be the case that *s* knows that *p*:

- (1) *s* opines that *p* is true,
- (2) *p* is true, and
- (3) *s* has and can give an explanatory account of the truth of *p*.

Socrates and Charmides do not give an explanatory account of the fineness of temperance, they simply agree that temperance is among the fine things. If we apply the *Meno* account of knowledge to the *Charmides*, then we can deny that Charmides and Socrates *know* that temperance is fine and on those grounds conclude that Socrates has not proven Charmides' proposal to be false.

If we are uncomfortable judging the *Charmides* by standards explicit in the *Meno*, we might apply a standard that seems to derive more specifically from how Socrates behaves in the *Charmides*. Gregory Vlastos, for example, argued that Socrates' style of refuting interlocutors rests on two assumptions:

[A] Whoever has a false moral belief will always have at the same time true beliefs entailing the negation of that false belief. [B] The set of elenctically tested moral beliefs held by Socrates at any given time is consistent.

(Vlastos 1994, 25, 28)

This suggests the following set of necessary and sufficient conditions for knowledge:

- (1) *s* believes that *p* is true,
- (2) *p* is true, and
- (3) *s* has elenctically tested *p*, and it has never been refuted.

Socrates and Charmides have not elenctically tested the view that temperance is fine, they simply agree that it is, and so Vlastos can conclude that they do not *know* that it is.

Furthermore, since the belief that temperance is among the fine things is an ethical belief, it might be appropriate to recall Herodotean ethical relativism: a Kallatian might agree that "eating our dead parents is among the fine things" (compare Herodotus 3.38.3–4), but we might deny that this agreement has any bearing on absolute ethical truth. Perhaps Charmides' agreement with Socrates on temperance has no epistemic value in a search for absolute, as opposed to culturally relative, ethical truths.

Yet another concern for the epistemic value of Socrates' initial refutation of Charmides arises explicitly from the text. In his summary of the argument Socrates might seem to indicate that the fineness of temperance is nothing more than an undefended assumption: "nor would the calm life be more temperate than the life that is not calm, *since temperance was placed* [*hupetethē*, ὑπετέθη] *by us among the fine things*" (160d1–2).²⁶ The crucial word is "*hupetethē*," which Lamb translates as "we assumed." If one of the premises of Socrates' argument is just an assumption, then his argument cannot count as a refutation or proof of anything: it is barely a step above simply saying "I assume that you are wrong."

But I think Lamb is wrong here. Let us first consider evidence outside of the *Charmides*. Murray translates Demosthenes' "*hupethemēn*" as "assumed" (*Against Lacritus* 35.54): "It is, therefore, just as I *assumed* at the beginning of my speech – you are wronged no less than we who lent the money" (Murray 1939). But Demosthenes is clearly referring to his earlier claim at 35.5 where Murray translates him as saying, "I beg of you, men of the jury, to give me a favorable hearing in regard to this matter and, if I prove to you that he has wronged us, who lent the money, and you as well, to render us the aid that is our due." The claim in question, then, is a matter of proof. He isn't airing it as something that he assumes to be true without any grounds whatsoever; he is *laying it down* as a fact: "*hupotithēmi*" (ὑποτίθημι) derives from "*tithēmi*" (τίθημι), to set, put, or place. Similarly, at *Against Aristocrates* 23.58 Demosthenes "lays it down" (*hupothentes*) that the future is uncertain. Although we might translate this as "assume" or "presume," this is an "assumption" only in the sense of something that "goes without saying" because it is as firm and obviously true as a proposition can be.

This external evidence supports the internal evidence. At *Charmides* 171d3 Socrates uses "*hupetithemetha*" (ὑπετιθέμεθα) to refer to a supposition or hypothesis. This is not an "assumption" in the sense of something assumed to be true without reason, support, justification, or proof. They don't assume that it is true; they hypothesize that it is true in order to examine its implications. Also, at *Charmides* 155d6 Socrates uses "*hupotithemenos*" (ὑποτιθέμενος) for a claim that is put forward as prudent advice: when it comes to a beautiful boy, one should be as wary as a fawn before a lion. Again, this is not something assumed to be true despite the lack of supporting reasons; it is brought forward as an important truth you neglect to your own peril and that could easily be supported with overwhelming evidence if anybody was empty-headed enough to ask for it. Socrates himself endorses the advice and cites his own powerful feelings at the sight of Charmides as witness to its truth. This claim is no more an unjustified "assumption" than the claim that the future is uncertain.

So "we assumed" is the wrong translation for "*hupethē*" at 160d2: Socrates and Charmides did not merely make an assumption. Whatever they did, they did it at 159c1–2 where Socrates says, "Tell me, isn't temperance among the fine things?"²⁷ and Charmides replies, "Certainly" (*panu ge, πάνυ γε*). If assumptions typically go without saying, this is not an assumption because it is explicitly brought out for acceptance or rejection. Charmides explicitly accepts it, and then at 160d1 Socrates says that it is a fact: "since in fact (*epeidē*, ἐπειδὴ) temperance is fine."²⁸

It is true that neither Socrates nor Charmides give any reason, justification, or argument in support of the claim that temperance is in fact among the fine things, but that doesn't automatically demote it to the status of a mere assumption: normally I need not back up my assertion that the future is uncertain. Alternatively, if I ask you, "Isn't this table among the flat things?" and you reply, "Certainly," neither of us is making an assumption about the table, we are simply making an explicit agreement to what is clearly a fact. This fits Pryor's notion of how a "dogmatist" treats perceptual justification. There is no need to "elenctically test" such beliefs or provide "explanatory accounts" of them. If there is an unexpressed assumption at work here it is simply that Charmides has ordinary perceptual and verbal competence. (I will return to this issue in chapter 3, section 3.)

There is one more textual basis for concern about the epistemic value of Socrates' initial refutation of Charmides. At the beginning of his summary of the argument, Socrates doesn't simply say that temperance is not calmness, he uses the optative mood and says, "temperance *would not be* calmness, nor *would* the temperate life be calm, *from this argument*" (160b8).²⁹ Perhaps he doesn't mean to say that temperance is not calmness, perhaps he is trying to make it clear to Charmides that he has merely given *some inconclusive reason* for thinking that temperance is not calmness.

There are two replies to this argument. First, the sense of the optative clearly depends upon the strength of the argument from which the conclusion is derived. If the argument is sound, then the optative does not undermine the conclusion, it underscores the conclusion with as much epistemic weight as the argument carries.

Second, the reference to "this argument" clearly implies the possibility of another argument. Here the forensic comparison is helpful. In Athens, some magistrates were permitted by law to impose penalties without the possibility of appeal. In such cases, the magistrate's decision is final. But in other cases, a dissatisfied disputant could appeal a judgment to the Eliaia (which could simply retry the case, MacDowell 1978, 30). Here the original magistrate's decision cannot be considered final, although it was conclusive in the sense that it did conclude the trial and produced a definite decision regarding guilt or innocence. In a case that allows for appeals, we may say that the verdict is conclusive, but not final.

Hence, we should distinguish three doxastic states: (1) the pre-trial state of agnosticism (or "presumption of innocence"); (2) the post-trial, but pre-appellate, state of confident credulity; and (3) the post-appellate state (which can bring us back to (1) or enhance the confidence of (2)). What is important for our consideration of Socrates' refutations is that an argument may put us in state (2), that is, it may be conclusive in the sense that it rightly gives us confident credulity in its conclusion, despite being open to appeal.

We have a philosophical version of these three doxastic states in the work of St. Thomas Aquinas. For example, at *Summa Theologiae* Ia q.75 a.5 Aquinas asks whether the soul is composed of matter and form. If we are fair-minded philosophers, then our initial doxastic state is that of agnosticism: we withhold judgment until we consider the arguments. If Aquinas has done his job well, then once we

have read the entire article, we will be confidently credulous of Aquinas' negative answer to the question (and we might claim to "know" that his answer is true, but this depends upon one's theory of knowledge). However, since he addresses precisely the same question at *Disputed Questions on the Soul* q.6, we might not consider the conclusion of the *Summa* to be final. In the *Summa*, Aquinas gives only 2 arguments in support of his answer and considers only 4 objections; in the *Disputed Questions* he gives 7 arguments in support of his answer and considers 17 objections. However, the more thorough treatment given in the *Disputed Questions* does not entail that the case made in the *Summa* was inconclusive, it shows only that the case made in the *Summa* was not final. For example, in the *Disputed Questions* Aquinas explicitly discusses the position of Avicbron, not explicitly discussed in the *Summa*, and so by analogy we could consider the *Disputed Questions*' version of the argument to be a re-trial based on a successful appeal by Avicbron. We may again take up a position of agnosticism on the issue as we consider the more complex issues addressed in the new trial, but we may not: the conclusive argument in the *Summa* may justify us in holding that there must be good answers to all the new objections, even if we are not antecedently sure what all those answers are. And of course we mustn't forget that even in the *Disputed Questions* we still do not have an absolutely final word on the issue. Each new generation of philosophers brings with it potential appellants in the case. Short of the beatific vision of the divine essence, there probably cannot be such a thing as "the final word" on this issue.

If we are well aware of the appeals process, then after a trial has concluded, we might express our confident credulity in the hypothetical mode, for example "the defendant would be guilty *from this trial*." Ordinarily, our confidence inclines us to the categorical mode, but if we are being especially careful, we can express ourselves hypothetically, opening the door to appeals and explicitly acknowledging what usually goes without saying: human beings are fallible and the future is uncertain. This hypothetical expression needn't lessen our surprise if an appeal is made and the verdict is vacated. If the trial was well designed and operated fairly, then we have every reason to expect the verdict to be upheld on appeal, although we realize there is a chance that it will not be. The use of the hypothetical mode does not entail that we lack confident credulity, just that we understand the appeals process.

Something similar is true of Socrates' refutation of Charmides. Once Socrates has stated the premises and pointed out that they validly entail the conclusion, he is entitled to draw the conclusion. In fact, depending upon one's linguistic and philosophical intuitions and theoretical commitments, at this point he may well be justified in claiming to "know" that the conclusion is true, even as he is making Charmides aware that he is free to appeal this judgment at any time and that upon appeal it is possible that their original conclusion will be overturned. Other hypothetical interlocutors might not be satisfied with this argument, but short of the beatific vision of the divine essence, there's no pleasing everybody. The extent to which it is relevant to consider objections depends on the context and does not deny the fact that true premises in a valid argument prove that the conclusion is true.

Rather than seeing Socrates' refutations as too short and undefended to amount to proofs, we should see them as efficient and elegant. We approach the text with the wrong set of assumptions if we are looking for the sort of refutation that Aquinas gives in his *Disputed Questions*. It seems to me that Socrates has no epistemology beyond what we might call "folk epistemology."

Section 5: Socratic "folk epistemology"

Just as "folk psychology" is an everyday, commonsense, pre-theoretical approach to human behavior insofar as our behavior is driven by our beliefs, desires, hopes, fears, and so on, so also "folk epistemology" is an everyday, commonsense, pre-theoretical approach to truth-detection insofar as it is up to us to see, hear, or otherwise detect what is true. Stephen Stich and Ian Ravenscroft have distinguished internal from external "folk psychology," and this distinction is useful for explaining what I have in mind when I speak of Socrates' "folk epistemology." Internal as opposed to external "folk psychology" can be compared to implicit and explicit grammar (Stich and Ravenscroft 1994, 495). People master grammar well before they learn explicit statements describing grammatical rules, for example children learning English reliably put direct objects after transitive verbs well before learning the rule that, in English, direct objects are to be placed after transitive verbs. Similarly, children learn how to understand, influence, and predict human behavior well before they have an explicit grasp of ordinary psychological terms like "anger," "desire," "fear," and so on. Something similar is true for the acquisition of the truth: children begin to distinguish more from less successful means of getting the truth (for example detecting where the cookies are) well before they have an explicit grasp of ordinary epistemic terms like "knowledge," "proof," "justification," and so on. My view is that Socrates' method of refutation is not part of a professional theory of knowledge, but rather derives from traditional internal "folk" epistemic strategies.

Consider first the folk strategy expressed in a certain Homeric phrase that is repeated three times in the *Iliad*. In the first instance, Achilles complains about Agamemnon, and as events unfold his complaint turns out to be dead right:

He rages with destructive thoughts
Nor does he know to perceive at once ahead and behind.
So that the Achaeans may fight safely beside the ships.³⁰
(*Iliad* 1.342–4)

Homer uses an epistemic term (οἶδα on line 343), so this is indeed relevant to traditional Greek "folk epistemology." In this passage, Achilles indicates that certain kinds of thoughts can disrupt our ability to perceive "at once ahead and behind" and that failure to perceive in this way can lead to our destruction. Here it seems to me that Homer puts in Achilles' mouth a bit of folk epistemology that emphasizes the avoidance of what we might call "false negatives" (mistakenly rejecting as false an hypothesis that is in fact true). On this view, like an archer who is more

concerned about missing a target than about wasting arrows, failing to detect a real pattern (false negative) is of primary significance. Jumping when someone shouts, “Boo!” (false positive, for example “that loud sound is danger headed right for me”) is not as bad a mistake as failing to jump when a frozen branch breaks off a tree and falls toward you (false negative, for example “that cracking sound is nothing important”). Also, being able to explain, defend, or justify your belief is not of primary significance in seeing “at once ahead and behind.” As commander in chief of the Greek forces, it is especially incumbent upon Agamemnon to see at once ahead and behind, to learn from past experience what to look for in the present and what to expect in the future so disaster may be averted. The emphasis is on perspicacity; a facility for argument, explanation, and justification is secondary at best.

In Homer’s second use of the phrase “at once ahead and behind,” Menelaus has accepted the one-on-one battle with Paris for Helen and an end to the war. He prudently calls for Priam to swear the binding oath to ensure that the Trojans will honor the challenge if he wins. In explanation he says,

Always flighty are the thoughts of younger men,
But when an old man takes part, at once ahead and behind
He looks, so that things will work out best for both sides.³¹

(*Iliad* 3.108–10)

The third instance occurs when Achilles takes the field of battle. We soon learn that the best thing the Trojans could do at this point is to retreat inside the walls, and this is precisely what Pouludamas urges.

Then sensible Pouludamas began to address them,
Panthous’ son, for he alone looked at once ahead and behind.³²

(*Iliad* 18.249–50)

Unfortunately, in anger Hector rallies the troops to attack. To explain this strategic error, Homer says, “Fools that they were, for Pallas Athena had stripped away their sense.”³³ In both instances we see the emphasis on not just seeing clearly, but knowing what to look for. The primary danger here is failing to recognize what we should be able to see clearly. Hector and Pouludamas have exactly the same information and field of vision, but only one of them sees “at once ahead and behind,” only one of them sees what is to be done. Hector is like the young whose minds are “flighty”; they don’t know what they should be looking for, and things they should ignore might steal their attention away. This can happen even to older men if they allow their emotions to control them or if a god strips away their sense.

It is not clear whether seeing “at once ahead and behind” is or yields what we would call “knowledge,” and linguistic intuitions will certainly vary on this issue. Probably sensible Pouludamas lacks what post-Cartesians would call “adequate justification” for his proposal: he cites the fact that the Trojans are far from the city walls (18.256), and he says that he fears Achilles (18.261), but Hector may be

able to marshal premises in support of standing and fighting (18.285–309). Also, there is no indication that Pouludamas has a systematic or synoptic grasp of military science in the way that masters of crafts might be said to have a systematic and synoptic grasp of their crafts.

Pouludamas is right, however, and Hector is a fool not to heed him. Of the two, Pouludamas seems to be the knowing one, if either is. Pouludamas is sensible (*pepnumenos*, πεπνυμένος), as is Teiresias (*Odyssey* 10.495). Sensible people are a cognitive elite who might also be described as wise, intelligent, or prudent (compare *Iliad* 3.148, 3.203, 23.440, 24.377; *Odyssey* 1.361, 3.52, 23.210). Linguistic intuitions and epistemological theories may vary, so probably some will still not want to call this “knowledge,” but at least we can agree that to be “*pepnumenos*” is to possess a high-level cognitive state that is not possessed by the average person and that, above all, to be “*pepnumenos*” is to be right, to spot the truth non-accidentally, not by a hunch or a lucky guess, and others ignore you to their doom.

It may be a bit aggrandizing to say that Homer has a “folk epistemology” since “epistemology” might be taken to imply some sort of account or theory of knowledge. So perhaps it would be safer to say that Homer gives pre-theoretical expression to folk cognitive strategies and recognizes more and less reliable cognitive states. Certainly we cannot find in Homer anything remotely resembling the theory of knowledge developed in the *Meno*.

What, then, about Socrates? Does his cognitive vocabulary evince a genuine theory, or is his terminology closer to that of Homer? Benson has argued that Socrates’ uses of some cognitive terms are “unconsidered, careless, or vernacular expressions” (Benson 2000, 236). Fine’s study indicates that Plato does on occasion use distinct cognitive terms interchangeably (for example *epistēmē* and *oida* at *Meno* 97a9–98b3; Fine 2008, 54) and closely related terms with distinct meanings (for example *eu oida*, εὖ οἶδα, and *suneidōs*, συνειδώς, at *Phaedrus* 235c6–8; Fine 60–1). Fine’s cautious conclusion is that any attempt to explain Socrates’ epistemology on the basis of his use of epistemic terms “is bound to be somewhat insecure” (Fine 85). I take Fine’s study to show that we have good reason to consider the possibility that Socrates’ epistemic terminology does not evince anything like a systematic or professional epistemological theory, but instead gives voice to largely pre-theoretical folk cognitive strategies that are indebted to the Homeric tradition according to which the sensible person sees at once ahead and behind. Rather than looking for comprehensive chains of reasoning, adequately giving explicit justification for every premise in need of support, Socrates’ strategy emphasizes perspicacity. In his first refutation of Charmides, for example, Socrates intelligently knew just what to look for (the fineness of some quick actions) to show Charmides the falsity of his answer.

An excellent case for my approach is the epistemic term *par excellence*: “*epistēmē*.” According to Fine, in the *Apology* the most we can say is that for Socrates, this word refers to “a high-level sort of knowledge that most people lack” (Fine 59–60). Since linguistic intuitions regarding the word “knowledge” vary, I prefer to go along with Fine only insofar as we say that in the *Apology*,

Socrates' "*epistēmē*" refers to a high-level *state of cognition* that most people lack.³⁴ I am less sure that Fine is right to use the connection Socrates makes between "*epistēmē*" and *technē* (τέχνη) to conclude that Socrates uses "*epistēmē*," and occasionally "*sophia*," to refer to "a specialized, systematic, synoptic grasp of a given domain" (Fine 60).³⁵ Before we decide whether Socratic "*epistēmē*" really does involve the systematic and synoptic grasp of a given domain, we should first contrast Fine's approach to "*epistēmē*" with Homer's. We may then ask whether Socrates is closer Fine or to Homer.

When Odysseus tests his mighty bow, Homer describes him with the participle "*epistamenos*" (ἐπιστάμενος), that is "knowing," or "expertly" (*Odyssey* 21.406). It is clear that this expertise involves a high-level cognitive state that all the suitors lack. By his expertise he (1) puts the bow to the test, inspecting it for evidence that worms had eaten their way into the wood, weakening it; and after stringing it he (2) puts the bowstring to the test by plucking it and listening carefully to the note it sang out as an indication of its suitability for use. Fully satisfied, he (3) deftly knocks an arrow and shoots it straight through the row of axes, thereby winning Penelope. This is a kind of "proof by ordeal"; if the proof of the pudding is in the eating, then the proof of the archer is in the shooting. Avoiding the controversial word "know" we might say that Odysseus expertly focuses in on precisely the things to perceive if one is to detect that the bow is suitable for use. There is no indication that his expertise involves a systematic or synoptic understanding of bows in particular, or archery more generally. There is no indication that Odysseus could give very full justifications for, or explanations of, why these signs are the right signs to look for, or that other signs would not do equally well or better.

Odysseus seems to me to possess the same sort of high-level cognitive state possessed by sensible Pouludamas. You ignore the pattern-recognition of people like Pouludamas and Odysseus to your peril. And yet, since there is no indication that Pouludamas or Odysseus would be able to justify or explain the truths they grasp – certainly not in any synoptic or systematic way – we might be reluctant to say that they "know" or "understand" these things. Given the fact that any systematic account of Socrates' epistemic vocabulary "is bound to be somewhat insecure," to use Fine's phrase, it is worth considering the possibility that Socrates' use of "*epistēmē*" and other related words should be associated with the kind of Greek folk intuitions that we find in Homer.

The folk-epistemological emphasis on perception and practical success suggests that things like justification, reasoning, explanation, derivation, argumentation, and so on are of secondary concern. Probably premises of the sort that would be used in such activities would be described as *phrenes* (φρένες), that is "thoughts," and as we know, these can be flighty or stripped away by the gods. Many annoyed parents know that precocious youths can gain remarkable facility for argumentation and rationalization, but they rarely know to see at once ahead and behind, and they are often not very sensible. In Aristophanes' *Clouds*, Strepsiades' son Pheidippides becomes quite adept at providing reasons (or "rationalizations") for a shocking course of action (see lines 1353–1429). Instead of relying

on a facility with “*phrenes*,” the emphasis on getting important things right suggests the centrality of the test, putting someone to the proof, making trial of them.

The test is an important motif in the *Odyssey*. Perhaps the most famous test occurs when Penelope instructs Eurukleia to move Odysseus’ bed from the bridal chamber. She has set a *modus tollens* trap to catch “Aithōn” if he not the man he says he is.

(1) If Aithōn is Odysseus, then he balks at Eurukleia moving the bed.

(2) Aithōn does not balk at Eurukleia moving the bed.

So (3) Aithōn is not Odysseus.

When Aithōn loudly protests, Penelope accepts that Aithōn = Odysseus. Homer presents Penelope’s test as an intelligent one, which is not how a Cartesian would view it. There are many ways in which this test could fail, and there is no indication that Penelope could give adequate justification to rule them all out. Premise 1 could be false: Odysseus may have forgotten about the bed; he may be so surprised at Penelope’s suggestion that he plays along for a while to see what she’s up to; or he may begin to worry that the woman he is addressing isn’t Penelope but some goddess in disguise toying with him. Of course none of these possibilities are actual, but there is no indication that Penelope can rule them all out with indubitable certainty, and so a Cartesian would dismiss her test as epistemically nugatory. The extent to which Homer presents this test as well designed is the extent to which we can identify Homer as non-Cartesian. Penelope’s tests are good ones if we see them rather as litmus tests, as cleverly rigged touchstones that will result in the distinct ring of truth or the abrupt unmasking of a fraud.

It seems to me no accident that Socrates’ strategy of refutation can be displayed as employing the same *modus tollens* structure of Penelope’s test. Socrates is putting Charmides’ answer to the test to see whether it has the ring of truth. Both tests rely on an alleged identity, and with no more sophisticated a version of the indiscernibility of identicals than is commonly used by internal “folk epistemology,” the tester intelligently selects a conspicuous test: a touchstone or litmus test. In both Socrates’ and Penelope’s cases, questions can be raised about the premises, and in both cases there is no indication that the testers could give adequate justification ruling out all possibility of error or deriving the truth of the premise from relevant first principles. And yet it seems to me that Homer and Plato are portraying their testers as intelligent and their tests as intelligently designed. Socrates and Penelope have the perspicacity to select premises that are in fact true, and so when the tests are actually run and (a) Odysseus balks at moving the bed, and (b) calmly writing letters turns out not to be finer than quickly writing the same letters, we have convincing and conclusive proof that (a) Aithōn’s claim to be Odysseus has the unmistakable ring of truth and (b) Charmides’ claim that temperance is quietness has the unmistakable ring of falsehood. Some of us might turn our post-Cartesian noses up at such humble tests. I do not, nor, it seems to me, does Plato. Such a method leaves something to be desired, but it is an excellent way for a mystagogue to behave.

Section 6: Refutation, induction, and the use of examples

Since *modus tollens* is deductively valid, my view seems to put me at odds with the view that Socrates reasoned not deductively but inductively. Aristotle, for example, claims that Socrates is responsible for introducing two things: universal definitions and inductive arguments (*Metaphysics* 13.4.1078b17–19). Probably the kind of induction Aristotle has in mind here is better called an “illustrative parallel,” for example (*Rhetoric* 2.20.1393b4–9):

- (1) Athletes ought not be selected by lot.
- (2) Steersmen ought not be selected by lot.
- So (3) Public officials ought not be selected by lot.

Here the premises are designed not to entail the conclusion but to induce us to accept the conclusion just as we accept the premises. Aristotle puts this argument in the same general category of argument as the following (1393a30–b2):

- (1) Darius subdued Egypt as a preliminary to invading Greece.
- (2) Xerxes subdued Egypt as a preliminary to invading Greece.
- So (3) If the present king of Persia subdues Egypt, he will then invade Greece.

The fundamental principle of reasoning here is that “for the most part, the future will resemble the past” (1394a8–9).

Whether or not Socrates is the actual inventor of this kind of “inductive” argument, it is clearly true to say that Socrates famously and prominently uses the illustrative parallel. Socrates himself is aware of this fact (*Crito* 47a13; see McPherran 2007). One important conclusion to draw here is that talk of “*the* Socratic method” is potentially misleading. Socrates does not employ only one “method” of argument (compare Carpenter and Polansky 2002, 100). Notice further that the sort of arguments Aristotle has in mind could very well be associated with Homer’s expression of seeing “at once behind and ahead.” The argument about the possible third Persian invasion of Greece is quite similar to the wisdom of sensible Pouludamas: the man of insight knows what to look for in the past and in the present in order to see what the future holds. As a form of insightful pattern-recognition, the induction Aristotle attributes to Socrates is similar: the man of insight knows what to look for in athletes and in steersmen in order to see what is important in public officials.

Of course the weakness of pattern-recognition arguments is that we can be fooled by appearances. An enemy who is laying a trap can be made to look very much like an enemy in hasty retreat. Hence the necessity of some kind of test or trial to help us discover if we are being fooled by appearances. In other words, although “inductive” argument – in the sense of illustrative parallel – is more prominently associated with Socrates, its natural companion is precisely the kind of deductive argument involved in the traditional Greek test or trial as exemplified by prudent Penelope. My view is not at odds with Aristotle, it is complementary.

My view is, however, at odds with the dominant view of Socrates' method *vis-à-vis* Geach's "Socratic fallacy." Recall that part of Geach's allegation is that Socrates accepts "(B) that it is no use to try and arrive at the meaning of 'T' by giving examples of things that are T" (Geach 1966, 371). In the very first published reply to Geach, Gerasimos Santas argued, "it is clear that the texts contradict assumption (B)" (Santas 1972, 131, n.3). Santas points out that Socrates does reject examples as not answering his "What is F?" question, since a particular example is not a universal definition. However, Santas argues that Socrates never rejects examples in the sense of refusing to use – or to allow his interlocutors to use – "examples as data from which [to] generalize to a definition or even as data which merely suggest a definition" (Santas 130). Santas thinks that this is precisely how Socrates uses examples. Despite some differences, Beversluis agrees:

Far from eschewing examples until he has discovered the definition of the relevant moral or evaluational term, Socrates habitually operates on the opposite methodological principle that it is by means of a scrutiny of examples that the definition is to be achieved. For only by examining diverse instantiations of F can the inquirer be in a position to discern the *eidos* which is "the same in all cases," "includes all the various uses of the term," and constitutes "the universal nature that pervades them all." (La. 191E10–192B4) How could it be otherwise? If it is the F-ness common to things that are F that he wishes to discover, how could he systematically disallow a scrutiny of the very Fs *to which* it is common?

(Beversluis 1987, 213)

Santas (1972, 131), Vlastos (1991, 6), and Prior (1998, 111), like Beversluis in this passage, rely prominently on Socrates' speech at *Laches* 191c7–192b8 to argue that Socrates is playing what I call the "What do they share?" game. Put some tuna, cod, haddock, and dolphins in a tank, and you can play the "What do they share?" game with substantial success. It shouldn't be too hard to notice the gills in tuna, cod, and haddock, and the absence of gills in the dolphins, so it shouldn't be too hard to modify our game by excluding the dolphins.

Unfortunately for this entire line of thought, Wolfsdorf is correct to argue that "in the early definitional dialogues, examples are, for the most part, used not to generate definitions of F, but to refute the *definientia*" (Wolfsdorf 2004a, 66; compare Wolfsdorf 2004b). In the first refutation of Charmides, for example, the particular examples Socrates relies upon are not examples of temperate actions but of calm actions. Calmly writing letters is not finer than quickly writing the same letters. Socrates does not toss a bunch of putative examples of temperate behavior into a tank to spot what they all share in common. In the *Euthyphro* he doesn't collect examples of holy actions to see what they share, and in the *Laches* he doesn't compare courageous actions to detect their common qualities – not even when he asks, "What is the same in all these cases?" (*Laches* 191e10–11).

This is what I meant just now when I said that I was to blame for your answering poorly: I asked poorly. For I did not only want to ask you about the

courage in the hoplite, but also the courage in the cavalry and in every kind of soldier. But also I meant to ask about the courage of those in danger at sea and of everyone who is courageous in the face of sickness, poverty or in politics. And not only about those who are courageous in the face of pains but also fears, and those who fight against desire and pleasure whether they are holding their position or turning to face the enemy. For there are some, Laches, who are brave in such circumstances.³⁶

(*Laches* 191c7–e2)

Socrates is not asking, “How is a fierce hoplite in battle like a steadfast sailor in a storm?” He’s asking, “How is a courageous hoplite in battle like a courageous sailor in a storm?” and there is simply no fun at all in that riddle. In this passage he never gives specific instances of courageous behavior, he simply claims that there are instances of such behavior in the various kinds of situations he describes. The point Socrates is making in passages like this where he emphasizes that he is looking for a common quality is simply that he is looking for a universal, not a particular, and so particular examples are not answers to the question he means to be asking.

Although Prior is correct that much classification work in science has followed the “What do they share?” model, such work is largely being abandoned in favor of cladistics. In the preface to their primer on cladistics, Peter Skelton and Andrew Smith point out that “eclectic models based on *ad hoc* arguments, and hence liable to subjectivity, have been replaced by a consistent methodology – cladistics” (Skelton and Smith 2002, vii). Biologists in particular have long complained not only about the diversity of taxonomies in the Linnaean tradition, but also about the intractability of such differences and the resulting appearance of ineliminable subjectivity. If Socrates operated in the way Santas, Beversluis, Vlastos, and Prior describe, then he could never produce a refutation of anything. He couldn’t even come up with a reliable, consistent set of views since there will always be innumerable alternative possible choices. The most he could ever come up with would be a description of what appeared to these people on this particular occasion to make an acceptable set of choices regarding a specific virtue and a specific set of examples. If Socrates reliably ends up maintaining certain claims, or certain sets of claims, there is no reason to think that this results from anything other than stubbornness, a repetitive lack of imagination, or some form of personal or cultural bias.

The relevant issue is sometimes referred to as “discoverer’s induction.” As Snyder has shown, the now-classic view of “discoverer’s induction” in the tradition of Francis Bacon’s *Novum Organum* (1620) and William Whewell’s *The Philosophy of the Inductive Sciences, Founded Upon Their History* (1840/1847) insists that scientific, inductive discovery occurs by a rational process of generalization from a careful study of particular cases (Snyder 1997a, 1997b, 1999). An opposing view was famously defended by Karl Popper in his *Conjectures and Refutations: The Growth of Scientific Knowledge* (1963). On Popper’s view, scientific induction is a “hypothetico-deductive” method whereby hypotheses arrived at through

non-rational guessing are subjected to tests and either corroborated or falsified (compare Popper ch. 10: Truth, Rationality and the Growth of Scientific Knowledge). In the next chapter I will give more detail regarding Socrates' method for discovering what the virtues are, but for now my main point is that when it comes to "discoverer's induction," Socrates is closer to Popper than to Whewell. Generalizing from instances is not an important part of Socrates' method. Putting individuals and proposals to the test is.

Section 7: "The Socratic fallacy," again

Wolfsdorf has recently revived the allegation of "the Socratic fallacy." Allowing F to stand for temperance, courage, or whichever virtue Socrates is investigating, Wolfsdorf refers to claims like "temperance is among the fine things" as "F-conditions." This particular F-condition is what yields the conditional claim in the *modus tollens* version of the refutation of Charmides' first definition of temperance: if temperance were calmness, then because temperance is among the fine things, calmness would also be among the fine things, and so calmly writing letters would be finer than quickly writing the same letters. Socrates' arguments frequently involve F-conditions, and this is, according to Wolfsdorf, part of the problem.

The empirical scientist may attempt to derive general criteria from a sample set; and, yes, her samples need not all be genuine. But for her enterprise to succeed, the set must contain at least a preponderance of genuine examples. In this case, the sample set provides a secure evidential base from which to make inferences to general criteria. But in Socrates' case, there is no secure set of genuine instances of F, nor does Socrates operate as though there were. It is his set of F-conditions that explicitly regulates his pursuit of definitions. But what reason do we have to believe that these serve as a secure evidential base? They may well be the most reasonable propositions about F that Socrates can find, and his interlocutors almost always agree with them. However, we need a reason to believe that they are true. In the early dialogues I do not see that any compelling reason is given.

(Wolfsdorf 2008, 67)

It is clear in Socrates' first refutation of Charmides that no reason at all has been given by Socrates or Charmides for believing that temperance is among the fine things. Wolfsdorf does not object to using premises without supporting reasons, but he thinks Geach was basically correct to argue that there is a problem in Socrates doing so because Socrates accepts the priority of definition. Here is Wolfsdorf's version of the priority of definition:

(D) If one does not know what F is, then one cannot know whether F has a property P (where the attribution of P to F is ethically substantive).

(Wolfsdorf 38)

Since Socrates freely admits that he doesn't know what temperance is, by his own acceptance of (D) it follows that Socrates does not know whether his F-conditions are true. To adapt Geach's language, Wolfsdorf might say that given his acceptance of (D), Socrates should accept that it is no use to try to arrive at an answer to his "What is F?" question by relying on his various F-conditions. Socrates has, in effect, tied his own hands and made inquiry impossible.

The faulty assumption here is that with regard to Socrates' F-conditions, "we need a reason to believe that they are true." Wolfsdorf never gives us a reason to think that he's correct on this crucial point. He would be on solid ground if Socrates and Charmides claimed to know that temperance is among the fine things (especially if they claimed to possess a high-level sort of cognition with respect to the fineness of temperance). But neither of them claims to know that temperance is among the fine things; they simply claim that it is.

The legitimacy of putting someone to the test depends not on our ability (a) to derive our premises from relevant first principles, (b) to prove or justify our premises with adequate reasons, or (c) to defend our premises successfully against all reasonable (or all possible) objections. The note sung out by Odysseus' bowstring when he plucked it was a sure sign that the bow was suitable for use. If Socrates is employing a similar folk epistemic strategy, then Wolfsdorf has posed the wrong question. We shouldn't be asking whether Socrates offers sufficient reason for thinking that his F-conditions are true. The proper question to ask is whether Socrates and his interlocutor are competent to interpret clear signs of the truth/falsity of the proposed answer to the main question.

Wolfsdorf gives no reason for thinking that either Charmides or Socrates are incompetent to interpret the relevant signs when it comes to temperance or calmness. In particular, when it comes to the F-condition that temperance is among the fine things Wolfsdorf gives us no reason to challenge Socrates' polite respect for Charmides' ethical and linguistic competence. Perhaps Charmides is indeed like some young people who think that drunken brawling is amusing and somewhat heroic, but we have no reason to doubt that his reputation for temperance had some real basis in his character. Just as it takes no great acumen to discriminate perceptually between students who learn quickly and those who learn slowly, it takes no great acumen to spot the boys who deal with conflict temperately and those who deal with it intemperately. If Charmides has the cognitive wherewithal to perceive all this, why should he be incapable of perceiving the shame in the intemperate brawling of some of his schoolmates? And of course, if he can perceive this, then it is a "no brainer" that he is able to discern the fact that temperance is among the fine things. No doubt his parents will be pleased and proud of him for learning correctly to interpret the signs of intemperance and shamefulness in some of his peers, and they might even be tempted to think him to some degree "wise" or "knowledgeable" because of this cognitive achievement. Depending on your Greek linguistic intuitions there are a variety of words in Plato's vocabulary that might legitimately be used to describe his cognitive ability in this matter. Nevertheless, whatever we call it, this cognitive capacity is nothing great. Any ordinary, decent human being with a bit of experience will develop the

same cognitive competence, even if any ordinary, decent human being cannot be expected to satisfy Descartes or Wolfsdorf on the matter.

If Socrates' refutations are thought of not as Cartesian doubt-makers, but as Homeric tests or trials, then there is no fundamental problem or fallacy in Socrates' use of them in his quest to confirm or disconfirm the identities of temperance, courage, piety, and so on. He does not insist that his interlocutors be able to produce dictionary definitions of terms prior to using them in sentences; nor does he insist that his interlocutors know the real universal identical to a virtue prior to identifying a particular action as having been done finely. He insists only that knowing the real universal identical to a virtue is absolutely crucial to an epistemically mature grasp of the virtue and related particulars, a grasp we can see that we have reason to strive for even if our current grasp is quite immature. This striving might be doomed to failure if he insists that his interlocutors be able to produce reasons, justifications, or arguments that would satisfy Wolfsdorf's criteria for knowledge prior to saying this or that action to be virtuous, fine, or good. However, if Socrates insists only that his interlocutors have an ordinary – and hence fallible – human ability to detect actions that are virtuous, fine, and good, then his chances of success are (as I will argue in the next chapter) quite substantial.

Relying on nothing more than linguistic competence and an ordinary, fallible ethical perspicacity, there is no reason why we cannot, in a sense, feel our way toward the identity of temperance, like cave-dwellers feeling around for an exit. The cave-dweller who has learned not to fall into a chasm has a crucial bit of wisdom, but this bit of geographical information is paltry when compared to the geographical wisdom of someone who has mapped not only the cave, but the entire mountain in which the cave is situated and the entire world on which the mountain stands, and who understands the place of the world in the cosmos as a unified system. The schoolboy who can tell which of his fellows are intemperate, and hence to be avoided, can spare himself a great deal of trouble, although this perspicacity is paltry when compared to a mature understanding of temperance in particular or virtue in general.

Of course the possibility of error is not to be dismissed. The flight of the enemy may be a sign that we ought to pursue and cut them down, but then again, it may be a sign that we are being lured into a trap. A soldier with ordinary courage may not be competent to distinguish the two, and in war one false move can be your last. And yet, being "gun shy" can be just as disastrous as being "trigger happy." The possibility of error mustn't prevent you from taking decisive action, but it should encourage you to hone your skills and deepen your understanding. The proper response to Geach and Wittgenstein turns out to be an equally proper response to Wolfsdorf: if there are real universals corresponding to the virtues, then there is nothing unreasonable, much less fallacious, in provoking someone to seek an epistemically mature grasp of them. There is a degree of cognitive competence Socrates lacks with respect to the real universals that are identical to the virtues, to the particular actions that fall under those universals, and also to the F-conditions Socrates associates with those universals. But the fact that he lacks a high level of cognitive competence with respect to all those things does not entail that "we need

a reason to believe that they are true” before we can legitimately rely upon them to construct decisive refutations of proposals, and Socrates’ priority of the universal entails no such thing. We will lack the same high level of cognitive competence regarding these refutations as we do regarding the relevant universals, particulars, and F-conditions, but from this it does not follow that the refutations are not sound (valid with true premises) or that we are fools to accept them as sound.

In the next chapter I will discuss in detail the way in which Socrates takes into account the possibility of error in his refutations, but the possibility of error is no bar to decisive epistemic action. The internal folk strategy involved is that of competent detection of the truth, and Socrates has a polite respect for the ethical competence of his interlocutors. Hence, his refutations are convincing and conclusive. They are not, however, final. Decisive epistemic action, like decisive judicial or military action, needn’t be immune to review. But the possibility of review and countermanding is not, in itself, proof that the original decisive action was wrong. If the procedure that led to our conclusion is well designed and operates fairly, then we are right to be confident that all reviews upon appeal will, in the end, confirm our original conclusion.

There are paradoxical ways of stating the position we are in when we refuse to be either epistemically “gun shy” or epistemically “trigger happy.” When we have a refutation of some claim *p* that is conclusive we surely have some epistemic right confidently to assert that “we know that *p* is false,” and at the same time, if our conclusive refutation is not final we surely have some epistemic right humbly to admit, “we do not know that *p* is false.” In the face of this apparent verbal contradiction we might be tempted to distinguish two senses of “know.” Given the results of studies by Benson and Fine (see prior section 5), we have reason to conclude that Socrates is not interested in such terminological tidiness. Despite the terminological untidiness, and despite the embarrassment one might feel if one’s sincere beliefs become public knowledge, Socrates’ position is no more contradictory than that of the general who orders an attack confident in victory but who simultaneously keeps his eyes open lest his battle plan turns out to be in error. Victory is to the general what truth is to Socrates. The luxury Socrates has that the general lacks is that Socrates can fight for the truth not only with the philosophical equivalent of battle-hardened veterans, but also with those he is trying, mystagogically, to recruit.

Conclusion

It is precisely this luxury that puts Socrates’ priority of the universal into its proper perspective. In the *Charmides*, the clearest expression of the principle comes not at the beginning but at the end of the discussion, and it comes not from Socrates but from Charmides.

By Zeus, Socrates, I do not know whether I have temperance or not. How could I know something when you and Critias are unable to discover what it is?³⁷

(*Charmides* 176a6–b1)

Benson and Wolfsdorf see in this an indication of Socrates' view (Benson 1990, 39–40; Wolfsdorf 2004a, 51–2). I agree, but I think they are missing the significance of the fact that it is Charmides who gives voice to this principle.

Charmides himself sees a connection between (1) the inability of Socrates and Critias (as well as his own earlier inability) to answer the “what is it?” question and (2) his ability to know whether or not he possesses temperance. If my argument in this chapter is correct, then we should not see this as Socrates successfully duping Charmides into a “style of mistaken thinking.” Provoking Charmides to this way of seeing the situation is a mystagogic triumph. Without ever calling into question Charmides' competence to detect a great many important ethical truths, Socrates' respectful questioning gets Charmides to see that whatever competence he may or may not have, there is a very important study he has never embarked upon which has the potential to revolutionize the way he thinks about himself, his life, and perhaps much more. Socrates has gotten Charmides (1) to see that that he is epistemically immature and (2) to desire to become epistemically more mature. It is not that Socrates has convinced him that he does not know what temperance is. No doubt he would have admitted that freely right from the beginning. Socrates is not trying to induce epistemic humility in Charmides: there is no indication that Charmides has any false pretensions to knowledge (*Charmides* 158c2–e3). The issue of false pretensions to knowledge does not arise until Critias enters the discussion (166d1–2). Rather, Socrates' repeated refutations are repeated lessons to Charmides that because he is able to follow Socrates, he is able to make progress in understanding temperance better than he does now. His ethical competence as displayed in, for example, his ability to perceive that temperance is among the fine things gives him grounds for hope that a critical and self-critical inquiry will lead him to the truth. Socrates mystagogos has succeeded in leading Charmides to wisdom's sacred precinct.

Notes

- 1 τί ποτε λέγει ὁ θεός, καὶ τί ποτε αἰνίττεται;
- 2 ἃ μὲν συνῆκα, γενναῖα: οἶμαι δὲ καὶ ἃ μὴ συνῆκα: πλὴν Δηλίου γέ τινος δεῖται κολυμβητοῦ.
- 3 Geach's formulation of the problem is too general; Socrates focuses on human virtue (Wolfsdorf 2004a, 36).
- 4 Forster overestimates the strength of his arguments. For example, the question “*ti legeis*” (τί λέγεις) can be used to request synonyms (Forster 2006b, 26), but when asked at *Laches* 192a9 it is clearly asking about a certain kind of running (see *en tō trechein*, ἐν τῷ τρέχειν, at 192a2) and not about the word “running” or about the phrase “quick running.” Furthermore, if Socrates were asking for synonyms (informative or otherwise), then when he asks “*ti legeis*” about “*tachutēs*” (ταχυτής, quickness, at *Laches* 192a9–19) why doesn't he mention “*oxutēs*” (ὀξύτης, quickness, see *Charmides* 159d5)?
- 5 Given Socrates' use of “*oida*” at *Apology* 29b7 it is difficult to deny that he could easily have used it at 21b6–7.
- 6 Hence, we should not take too seriously the suggestion of a procedural priority principle at *Meno* 100b4–6 (see Brickhouse and Smith 1994, 55–60) since Socrates freely violates such a principle. Also, Benson points out a significant problem with the argument of Brickhouse and Smith (Benson 202, 203 103, n.29).

- 7 νῦν μὲν, ἣν δ' ἐγώ, ὃ Λύσι τε καὶ Μενέξενε, καταγέλαστοι γεγόναμεν ἐγώ τε, γέρων ἀνὴρ, καὶ ὑμεῖς. ἐροῦσι γὰρ οἷδε ἀπιόντες ὡς οἰόμεθα ἡμεῖς ἀλλήλων φίλοι εἶναι – καὶ ἐμὲ γὰρ ἐν ὑμῖν τίθημι – οὐπω δὲ ὅτι ἔστιν ὁ φίλος οἰοί τε ἐγενόμεθα ἐξευρεῖν.
- 8 Part of the humor in Euthyphro's hurried exit (15e3–16a4) derives from the fact that he too seems to feel that he has made himself look ridiculous by confidently asserting that his prosecution of his father is holy, but he is unable to state what holiness is.
- 9 So even if we distinguish Socratic and transitional dialogues as do Vlastos and Beversluis, we will still have a particularized version of the priority of the universal to deal with (see Vlastos 1985 and Beversluis 1987).
- 10 See Brickhouse and Smith (1994, 51).
- 11 If we apply Benson's analysis of views regarding the "priority of definition" to my "priority of the universal," then my view is a form of the "embrace the tension" approach (Benson 2013, 146–7). Obviously I disagree with Geach because I think the "tension" does not amount to a fallacy. My view is close to Dancy's because I do see a developmental aspect to Plato's use of the priority of the universal. However, I disagree with Dancy because I think Socrates is right to insist on the priority of the universal (see Dancy 1999, 41, and 2004, 37–41; see also Griswold 2011, 229), and because Plato doesn't reject the principle, he qualifies it.
- 12 Maturity is an important theme in the *Lysis*. Hippothales has an immature crush on Lysis (see 204b5, c3–d8), and Socrates' initial interrogation of Lysis focuses on the love (*philei*, φύλει 207d6) his parents have for him as he matures and comes of age (207d5–210d4).
- 13 So I cannot agree with Nehamas when he argues that Socrates intends the relevant principle to imply a problem for only controversial or disputed cases (Nehamas 1987, 287–91). The friendships of Socrates, Lysis, and Menexenus are clear cases of friendship.
- 14 Also, I can discern no significant difference in the justified embarrassment one might feel after (1) pontificating about what things are and are not F and (2) pontificating about the features of F-ness, and so while I see the distinction between the two, I see no reason for Socrates to emphasize it (compare Benson 1990, 20 n.2; Wolfsdorf 2004a, 37–8; Griswold 2011, 223–4).
- 15 So we could pose a self-referential paradox for the priority of the universal: don't we look ridiculous when we confidently assert a particular version of the principle after admitting that we are confused about the proper extent of the principle? "No" is a justifiable answer, but even if the answer is "yes," I don't see why Socrates wouldn't embrace the ridiculousness that results from this paradox.
- 16 Hence, my priority of the universal is not implausible in the way that Benson indicates the priority of definition is implausible (Benson 2013, 153), especially if Socrates is committed only to particular versions of the principle.
- 17 The priority of definition has been formulated differently by different authors. Three of the best comprehensive studies of this issue are Benson (1990), Wolfsdorf (2004a), and Benson (2013). I prefer the formulation given by Benson (2013, 137).
- 18 I agree with Bett that Plato gives no indication that he wants to draw a systematic distinction between the words for "know" (Bett 2011, 226, 228).
- 19 This is my objection to the approach taken by Brickhouse and Smith (1994, 30–45) and Bett (2011, 221, 225–6). We haven't adequately captured Socrates' view until we characterize the disfavored cognitive state in such a way that resting content with it is clearly ridiculous in the cases that are important to Socrates.
- 20 While I agree with much of what Reeve has to say about craft knowledge, I think he is on more solid ground when he discusses Plato (for example, chapters 7 and 8 of Reeve 2013) than when he discusses Socrates (for example, Reeve 1989, 37–45).
- 21 Another reason to eschew attributing a more precise notion of cognitive im/maturity to Socrates derives from the conclusions about Socrates' use of terms drawn by Benson (2000) and Fine (2008).

- 22 οὐ δύναμαί πω κατὰ τὸ Δελφικὸν γράμμα γινῶναι ἐμαυτὸν: γελοῖον δὴ μοι φαίνεται τοῦτο ἔτι ἀγνοοῦντα τὰ ἀλλότρια σκοπεῖν.
- 23 Socrates seems to have a different attitude toward traditional mythology in the *Euthyphro* (for example, at 6b7–c4), and “Socrates” in the *Republic* most definitely has a different attitude (see 2.378b8–e3). Neither of these views is incompatible with the specific form of credulity he expresses in the *Phaedrus*.
- 24 Tarrant too easily dismisses the appropriateness of this word (Tarrant 2002, 72).
- 25 καὶ μοι δοκεῖ, ἔφη, συλλήβδην ἡσυχιότης τις εἶναι ὁ ἐρωτᾶς. ἄρ’ οὖν, ἦν δ’ ἐγώ, εὖ λέγεις; φασὶ γέ τοι, ὦ Χαρμίδη, τοὺς ἡσυχίους σῶφρονας εἶναι: ἴδωμεν δὴ εἰ τι λέγουσιν. εἰπὲ γάρ μοι, οὐ τῶν καλῶν μέντοι ἡ σωφροσύνη ἐστίν; πάνυ γε, ἔφη. πότερον οὖν κάλλιστον ἐν γραμματιστοῦ τὰ ὅμοια γράμματα γράφειν ταχὺ ἢ ἡσυχῇ; ταχύ.
- 26 οὐδὲ ὁ ἡσυχίος βίος κόσμιος τοῦ μὴ ἡσυχίου σωφρονέστερος ἂν εἴη, ἐπειδὴ ἐν τῷ λόγῳ τῶν καλῶν τι ἡμῖν ἡ σωφροσύνη ὑπετέθη.
- 27 εἰπὲ γάρ μοι, οὐ τῶν καλῶν μέντοι ἡ σωφροσύνη ἐστίν;
- 28 For a clear example of ἐπειδὴ used to state something as a fact, compare *Gorgias* 473e7.
- 29 οὐκ ἄρα ἡσυχιότης τις ἡ σωφροσύνη ἂν εἴη, οὐδ’ ἡσύχιος ὁ σῶφρων βίος, ἐκ γε τούτου τοῦ λόγου.
- 30 ἦ γὰρ ὃ γ’ ὀλοῖσσι φρεσὶ θύει, / οὐδέ τι οἶδε νοῆσαι ἅμα πρόσσω καὶ ὀπίσσω, / ὅππως οἱ παρὰ νηυσὶ σόοι μαχέοιντο Ἀχαιοί.
- 31 αἰεὶ δ’ ὀπλοτέρων ἀνδρῶν φρένες ἡερέθονται: / οἷς δ’ ὁ γέρον μετέησιν ἅμα πρόσσω καὶ ὀπίσσω / λεύσσει, ὅπως ὄχ’ ἄριστα μετ’ ἀμφοτέροισι γένηται.
- 32 τοῖσι δὲ Πουλυδάμας πεπνυμένος ἥρχ’ ἀγορεύειν / Πανθοΐδης: ὁ γὰρ οἶος ὄρα πρόσσω καὶ ὀπίσσω.
- 33 νήπιοι: ἐκ γάρ σφρων φρένας εἴλετο Παλλὰς Ἀθήνη; *Iliad* 18.311.
- 34 I agree with much of McPartland’s argument (see his “extraordinarily high-level cognitive achievement” at McPartland 2013, 96).
- 35 McPartland rightly separates the issue of which Greek epistemic terms Socrates uses and which English epistemic terms we think would be appropriate (McPartland 2013, 96–7). However, I go a step further than McPartland: I am unsure whether Socrates’ use of his own epistemic terms is semantically stable even in one dialogue, much less over multiple dialogues.
- 36 τοῦτο τοίνυν ὁ ἄρτι ἔλεγον, ὅτι ἐγὼ αἴτιος μὴ καλῶς σε ἀποκρίνασθαι, ὅτι οὐ καλῶς ἡρόμην – βουλόμενος γάρ σου πυθέσθαι μὴ μόνον τοὺς ἐν τῷ ὀπλιτικῷ ἀνδρείους, ἀλλὰ καὶ τοὺς ἐν τῷ ἱππικῷ καὶ ἐν σύμπαντι τῷ πολεμικῷ εἶδει, καὶ μὴ μόνον τοὺς ἐν τῷ πολέμῳ, ἀλλὰ καὶ τοὺς ἐν τοῖς πρὸς τὴν θάλατταν κινδύνους ἀνδρείους ὄντας, καὶ ὅσοι γε πρὸς νόσους καὶ ὅσοι πρὸς πενίας ἢ καὶ πρὸς τὰ πολιτικά ἀνδρεῖοι εἰσιν, καὶ ἔτι αὐτὸ μὴ μόνον ὅσοι πρὸς λύπας ἀνδρεῖοι εἰσιν ἢ φόβους, ἀλλὰ καὶ πρὸς ἐπιθυμίας ἢ ἡδονὰς δεινοὶ μάχεσθαι, καὶ μένοντες καὶ ἀναστρέφοντες – εἰσὶ γάρ πού τινες, ὦ Λάχης, καὶ ἐν τοῖς τοιούτοις ἀνδρεῖοι.
- 37 ἀλλὰ μὰ Δί’, ἦ δ’ ὅς, ἔγωγε, ὦ Σώκρατες, οὐκ οἶδα οὐτ’ εἰ ἔχω οὐτ’ εἰ μὴ ἔχω: πῶς γὰρ ἂν εἰδείην ὅ γε μηδ’ ὑμεῖς οἴοι τέ ἐστε ἐξευρεῖν ὅτι ποτ’ ἔστιν.

3 Socratic method

Introduction

If my argument in chapter 1 was successful, then Socrates is optimistic that a critical and self-critical investigation of traditional values that is inspired by traditional values can make substantial progress toward the truth. Skepticism regarding traditional answers to fundamental questions about virtue is, in Socrates' view, validated by traditional values and is a suitable starting point for serious inquiry. But if no human can achieve divine wisdom, and if human wisdom is worthless in comparison, they why bother? A first step in answering this question was taken in chapter 2: Socrates' skepticism is not Cartesian, stripping away all beliefs for which we cannot provide rock-solid support; rather Socrates' skepticism consists in urging us to seek greater epistemic maturity with respect to our important beliefs about virtue, using our pre-reflective and epistemically immature convictions as starting points. The Prometheus myth is a perfect analogy: although we are forever denied divine foresight, we can interpret signs of the future (Aeschylus, *Prometheus Bound* 476–506). As is suitable for a mystagogue, Socrates does not import any sophisticated epistemological apparatus, but instead relies on quite common folk practices, for example the hermeneutic ascent and putting proposals to the test.

In this chapter I get into the real nuts and bolts of Socrates' philosophical practice. I focus on the *Charmides* and *Laches* for three reasons. First, I restrict my focus because I am not attempting a systematic or synoptic analysis of Socrates' philosophy. Second, in this pair of dialogues we clearly see an important method by which Socrates exercises his mystagogic function, leading his interlocutors from a complacent reliance on traditional views to critical and self-critical truth-seeking. Finally, this pair of dialogues gives us a particularly clear view of the constructive progress Socrates makes with his method.

My main goal in this chapter is to complete my argument that there is a constructive purpose in Socrates' philosophical activity. There are three stages to my argument. First, I clarify what his method is; then I show why it is reasonable to think that such a method can be used constructively; and finally I show that Socrates succeeds in making constructive progress toward the truth using this method.

In section 1 I clarify what Socrates' method is. In the previous chapter I indicated that Socrates employs the venerable tradition of the pass-or-fail test, but here I point out the details of how he employs this tradition. In the first instance, Socrates' method is constructive only in a negative sense: he provides convincing and conclusive proof that numerous reasonable answers to his "What is it?" question regarding virtues are in fact false. My view puts me at odds with one of the most prominent and influential of scholars who defend a "constructivist" interpretation of Socrates: Gregory Vlastos. In the view of Vlastos, Socrates' arguments are not, in themselves, either convincing or conclusive, and hence the sympathetic interpreter must discover what further assumptions Socrates must be relying on when he assumes that his method has a constructive point to it. I disagree. I conclude section 1 by arguing that we correctly understand Socrates' method only if we see that the right questions to ask are: (1) what is it that we today are missing when we fail to see that Socrates' arguments are clearly both conclusive and convincing, and (2) does Socrates provide any protection against being misled, since convincing and conclusive arguments can be misleading?

I answer the second question in section 4, and if I am correct, then Socrates' method is one that philosophers today should continue to take seriously. I divide my answer to the first question between sections 2 and 3. In a way I feel as though I am giving an Alexandrian solution to a Gordian problem. Since Vlastos, there have been numerous attempts to attribute to Socrates sophisticated epistemological assumptions that would make his simple arguments stronger than they appear to be (see, for example, Scaltsas 1989 and Santana 2009). In my view, these attempts are on the wrong track. In section 2 I show that if we understand Socrates' method in the conservative context of conventional Greek "folk epistemology," we will see that his simple arguments provide convincing and conclusive refutations. In section 3 I diagnose some of the problems that prevent modern scholars from seeing or appreciating the power of Socrates' method. Instead of seeing Socrates' method as simplicity masking complexity, we should see his simple arguments as admirably elegant.

Section 1: "The problem" of the Socratic method

In the previous chapter I promised that I would consider Socrates' argument at *Charmides* 159b5–160d4 in more detail. I do so now (expanding upon my earlier view, Adams 1998). Socrates asks Charmides what temperance is, and Charmides' first answer is that it is calmness (ἡσυχιότης).

"It seems to me," he [Charmides] said, "that in short, what you ask about is calmness."

"You speak well," I [Socrates] said, "people do say the calm to be temperate. But let us see if there is anything to it. Tell me, isn't temperance among the fine things?"

"Certainly," he said.

“And when you are at the writing master’s, is it finer to write the same letters quickly or calmly?”
 “Quickly.”

(*Charmides* 159b5–c5)

In the previous chapter I portrayed this as a *modus tollens* argument. Charmides’ eventual agreement that Socrates has indeed refuted his proposal licenses this portrayal. But there is a bit more structure to be seen here.

Step 1 is an answer to the question “What is temperance?” Traditionally the answer is called a “definition,” although the word “definition” calls to mind dictionaries and the sort of lexical analysis that Plato associates with Prodicus, not Socrates (compare *Charmides* 163d1–e7, *Laches* 197d1–5). Irwin successfully shows that the sort of answer Socrates is looking for is not an account of the ordinary use of a word, nor is it a conceptual analysis. Instead, he seeks a real universal that explains important relevant facts (Irwin 1995, 25–7), for example what exactly it is that makes a courageous action courageous, as the chemical element whose symbol is “Au” explains what exactly it is that makes gold golden. This is why Socrates asks Charmides neither about various uses of the word “temperance” (*sōphrosunē*), nor about how he or anyone else conceives of temperance, but rather he asks Charmides to *perceive* his own temperance, if indeed temperance is within him, to see what it is that causes him to have the beliefs about temperance that he has (*Charmides* 158e7–159a4). We will disagree with Socrates if we think that ethical properties are not perceptible by our ordinary sensory apparatus, or if we are nominalists with respect to moral universals, but as he shapes the discussion, answering the question “What is temperance?” is an inquiry that is based on and driven by observation, direct or indirect, of real universals.

Step 2 involves a new question. After offering brief encouragement on the initial answer, Socrates gets an answer to a distinct but related question. Here he asks whether temperance is among the fine things, and Charmides agrees that it is.

Socrates then asks one more related question, but this time the question is about a particular kind of action, that is writing letters at the writing master’s. A peculiar feature of this example is that it does not in itself have anything to do with temperance. Socrates does not ask about *temperately* writing letters, he asks about *calmly* writing letters. What is more, he does not ask whether calmly writing letters is temperate, he asks whether doing so is *finer* than writing them quickly. This is a kind of refutation-by-counter-example, but not directly so. Socrates does not ask Charmides directly about particular temperate actions, which is precisely what he would do if he were playing the “What do they all share?” game I discussed and dismissed in chapter 2, section 6. Instead, his reasoning is hypothetical, causal, and empirical: if Charmides is correct about temperance being calmness, then let’s perceptually examine what effects calmness has on various particular actions. Upon examination, calm actions turn out to be,

quite often, not as fine as incompatibly quick actions. This rounds out a set of three explicit propositions:

- (i) Temperance is calmness.
- (ii) Temperance is among the fine things.
- (iii) Calmly writing letters is not finer than quickly writing letters.

The conjunction of (i) and (ii) creates an expectation that is not met by (iii). If temperance = calmness, if the two are in fact one and the same (numerically identical), then calmness is among the fine things. Rather than check the truth of this expectation in the abstract, Socrates has them check it in concrete examples that are evident to the senses. But in case after case, calmness clearly lacks the fineness they expect to find. To make this explicit, we might distinguish between (iia) and the implicit (iib) as follows:

- (i) Temperance is calmness.
- (iia) Temperance is among the fine things.
- So (iib) Calmly writing letters is finer than quickly writing letters.
- But (iii) Calmly writing letters is not finer than quickly writing letters.

The reasoning here is causal: if Charmides has accurately identified the real universal that is temperance, then calmness will have the causal power of temperance to give an action a certain fineness about it. It is not misleading, therefore, to compare Socrates' argument with the following:

- (i) Gold is the chemical element abbreviated FeS_2 .
- (iia) Gold is among the precious metals.
- (iib) Ore containing FeS_2 is more precious than it would be if it lacked FeS_2 .

If we check and discover that ore containing FeS_2 is no more precious than otherwise identical ore that lacks FeS_2 , then we haven't yet discovered what gold is: we've simply discovered "fool's gold." By parity of reasoning, Socrates has elegantly demonstrated that calmness is merely "fool's temperance."

The fact that Charmides' proposal fails Socrates' test shows not only *that* temperance is not calmness, it also shows *why* temperance is not calmness: temperate writing has a fineness about it that we do not see when we examine the calm writing of students unkindly called "thick" or "dim." Calmness lacks a causal power temperance possesses, and so we might say in a scientific manner that Charmides' answer leaves an "explanatory gap." His proposal that calmness explains the temperance of temperate actions fails to explain why the fine writing at the writing master's is being done not by the students writing calmly, but by the students writing quickly.

When a proposal fails a pass-or-fail test, then the proposal is a failure if the test was a good one. So after a putative failure it is reasonable to re-consider both the proposal and the test. If we focus on the *Charmides* and *Laches*, there

is only one refutation where the interlocutors reject the test: the fifth refutation in the *Laches*, 196d1–197c1. I'll consider this refutation in section 4. For now, notice that the pass-or-fail test at *Charmides* 159b5–c5 is taken both by Socrates and Charmides to be a failure for Charmides' first answer to the question "What is temperance?" Although they do not explicitly re-consider the test as do Nicias, Laches, and Socrates at *Laches* 196d1–197c1, we cannot say that they are taking the reasonableness of the test for granted: Socrates' questions to Charmides *are* tests of the test. Charmides' agreement to every single step is confirmation that every single step is reasonable. Charmides is young, and so his confirmation of the reasonableness of the test isn't as strong as the confirmation that others could provide, but it is confirmation nonetheless. In fact, after considering the test and agreeing that the failure of his initial proposal does indeed entail that his proposal is a failure, Socrates reviews the argument for Charmides at 160b7–d3, implicitly offering him yet another opportunity to challenge the test if he has any objections. Charmides offers none, so they reject the initial answer and look for a new one.

Socrates proceeds in precisely the same way in his next refutation (160e2–161b2).

- (i) Temperance is modesty.
- (iia) Temperance is always good.
- So (iib) Modesty is always good.
- But (iii) Modesty is not always good.

The expectation they form on the basis of (i) and (iia) is upset by Homer's observation that "modesty is not good for a needy man" (*Charmides* 161a4, compare *Odyssey* 17.347).¹ In theory, there are three reasonable responses to the problem: give up (i), (iia), or (iii). Socrates completely ignores the second and third options: he concludes by saying, "Therefore, temperance would not be modesty, if indeed it happens to be a good thing but modesty is no more good than bad" (*Charmides* 161a11–b2).² He does not say, "*Either* temperance is not modesty, *or* temperance is not a good thing, *or* Homer is wrong to suggest that modesty is not good for a needy man." Socrates does not present this as a neutral case of propositions p, q, and r, one of which must be given up; he presents it as obvious that p is wrong if q and r are correct, and since they have just agreed that q and r *are* correct – not that they *might be* correct – there is one and only one reasonable conclusion: p *is* (not *might be*) false. The point is no more complicated than understanding validity: if you accept q and r, and you also accept that given q and r, p is false, then you are being unreasonable if you still refuse to accept that p is false.

In the *Charmides* and the *Laches*, once Socrates has concluded his refutation, the finger is always pointed at (i) as the claim to be given up. There is no hesitation in this, as if it is clear, unambiguous, and obvious to all. Here are the other refutations in the *Charmides* and *Laches*.

Charmides, the third refutation (161b3–162a9):

- (i) Temperance is doing one's own things.
- (iia) A temperate state is well governed.

So (iib) A state where every one minds their own business is well governed.

But (iii) Such a state is not well governed.

Charmides, the fourth refutation (163e1–164d3):

(i) Temperance is doing good.

(iia) Doing good does not require knowing that you are doing good.

So (iib) Temperance does not require knowing that you are doing good.

But (iii) Temperance does require knowing that you are doing good.

Charmides, the fifth refutation (164d3–174d2):

(i) Temperance is self-knowledge.

(iia) Temperance is beneficial.

So (iib) Self-knowledge is beneficial.

But (iii) Self-knowledge is not beneficial.

Charmides, the sixth refutation (174d3–175a8):

(i) Temperance is the knowledge of good and bad.

(iia) Temperance is beneficial.

So (iib) Knowledge of good and bad is beneficial.

But (iii) Knowledge of good and bad is not beneficial.

Laches, the first refutation (190d7–192b4):

(i) Courage is to stand and fight.

(iia) Scythian cavalymen are courageous.

So (iib) Scythian cavalymen stand and fight.

But (iii) Scythian cavalymen don't stand and fight.

Laches, the second refutation (192b5–d9):

(i) Courage is endurance.

(iia) Courage is always fine.

So (iib) Endurance is always fine.

But (iii) Endurance is not always fine.

Laches, the third refutation (192d10–193b4):

(i) Courage is intelligent endurance.

(iia) Intelligent investment is intelligent endurance.

So (iib) Intelligent investment is courageous.

But (iii) Intelligent investment is not courageous.

Laches, the fourth refutation (193b5–d10):

(i) Courage is unintelligent endurance.

(iia) Courage is fine.

So (iib) Unintelligent endurance is fine.

But (iii) Unintelligent endurance is not fine.

Laches, the fifth refutation (196d1–197c1):

- (i) Courage is the knowledge of what is and what is not to be feared.
- (iia) Lions do not have that knowledge.
- So (iib) Lions are not courageous.
- But (iii) Lions are courageous.

Laches, the sixth refutation (198a1–199e12):

- (i) Courage is the knowledge of good and bad.
- (iia) The knowledge of good and bad is the whole of virtue.
- So (iib) Courage is the whole of virtue.
- But (iii) Courage is not the whole of virtue.

We might think they are naïve to do so, but as Socrates and his interlocutors conceive of what they are doing, they are testing the truth of (i) so that when the test ends in failure, the obvious claim to reject is (i).

Given the fact that Socrates presents these as refutations of (i) in particular, and not of the conjunction of (i), (iia), and (iii) as a set, the temptation for those of us who regularly teach predicate calculus is to construct a formally valid argument that begins with (i), (iia), and (iii) as premises and ends with not-(i). Gregory Vlastos gave in to this temptation in 1956 (as had Robinson 1941), but later came to revise his view (compare Vlastos 1956 with Vlastos 1994, 2–3): if (i) is used as a premise of a valid argument whose conclusion is not-(i), then in some sense (i) is self-contradictory.³ Vlastos correctly points out that this is a misrepresentation of the text; in fact what we find is that Socrates draws out a set of beliefs that forces a choice between (i) and other claims. It is not that (i)–(iii) deductively entail the denial of (i) via additional premises; rather Socrates and his interlocutor behave as if the obvious and proper response to the problem posed by (i)–(iii) is to reject (i). We shouldn't be looking for extra premises to make the denial of (i) reasonable; Socrates treats the set of (i)–(iii) as itself making the rejection of (i) reasonable. But this is precisely the problem according to Vlastos: technically, all Socrates does is elicit a set of beliefs that cannot be maintained consistently; why, then, does Socrates behave as if he has refuted (i)? According to Vlastos' revised view, "the problem of the Socratic [method]" is

how Socrates can claim . . . to have proved that the refutand is false, when all he has established is its inconsistency with premises whose truth he has not tried to establish in that argument: they have entered the argument simply as propositions on which he and the interlocutor are agreed.

(Vlastos 1994, 3–4)

I find it puzzling that Vlastos would find this puzzling, for Socrates himself gives the solution to this problem at *Charmides* 160b7–d3:

Therefore, temperance would not be calmness, nor would the temperate life be calm, from this argument, since in fact a temperate life is necessarily fine.

For one of two things is true: either [1] in few or no cases do the calm actions in life seem finer than the quick and vigorous actions; or [2] even if the calm actions seem finer no less often than the vehement and quick actions, even so temperance would no more be acting calmly than acting vehemently and quickly, either in walking or talking or anything else. Nor would the calm life be more temperate than the life that is not calm, since in fact temperance was placed by us among the fine things, and quick no less than calm actions were shown to be fine.⁴

The reason Socrates can claim to have proven that “temperance is calmness” is false is that they have just seen repeatedly that it cannot be true: it is patently refuted by careful observation of relevant facts. Since in fact (*epeidē*, ἐπειδὴ) a temperate life must (*dei*, δεῖ) be fine, if temperance just were calmness, we would find in case after case that leading one’s life calmly is leading it finely. But look, examine the cases and you’ll see it’s as plain as the nose on your face: to lead one’s life calmly is *not* always to lead one’s life temperately. That wouldn’t be the case if temperance just were calmness, so temperance cannot possibly be calmness. Q.E.D.

One thing that bothers Vlastos is Socrates’ failure to establish the truth of (iia) and (iii). Vlastos describes these as “*simply* . . . propositions on which [Socrates] and the interlocutor are agreed” (emphasis added; Vlastos 1994, 4). Many scholars have echoed this concern (for example Wolfsdorf 2008, 67, and Santana 2009, 43). The problem is with the word “simply,” insinuating that the agreement on (iia) and (iii) is utterly baseless. That’s not how Socrates presents (iia) or (iii). Notice that Socrates has carefully chosen examples of quick and calm actions from among the actions Charmides is sure to have witnessed personally in himself and others on numerous, recent occasions in school. He’s not asking Charmides to tell the difference between *Ctenocephalides felis* (the cat flea) and *Ctenocephalides canis* (the dog flea), he’s asking Charmides about a manifest property of medium-sized objects he has observed repeatedly, recently, and close up in adequate light: if the table in front of us is among the flat things, then we will not *simply* be agreed that the table in front of us is among the flat things, we will *perceive* the obvious fact that it is flat.⁵ Socrates and Charmides behave as if (iia) and (iii) are relevantly similar to this sort of example. This is just the sort of “dogmatism” we saw in chapter 2, section 3.

So in fact we face a different problem than what Vlastos has identified. “*The problem*” here is not the problem of proving our conclusion, and then treating our premises as sub-conclusions that stand in need of proof by further premises which will in turn be treated as sub-conclusions that stand in need of proof and so on.⁶ Rather we have two different problems:

Problem A: why is it reasonable for Socrates and his interlocutor to reject (i) when confronted with (iia) and (iii)?

Problem B: does Socrates provide any reasonable fail-safe against being misled in rejecting (i) when confronted with (iia) and (iii), since in fact the reasonable belief is not necessarily true?

Section 2: Why Socrates' refutations are reasonable

The solution to Problem A is far more obvious than the solution to Problem B. A nice illustration of the principle at work in rejecting (i) when confronted with (iia) and (iii) occurs in the *Euthydemus*. At 294b1–d3, Dionysodorus has been maintaining that he knows everything. Ctesippus breaks in and poses a simple test: Dionysodorus is to say exactly how many teeth his brother Euthydemus has, a count of said teeth will then occur, and if Dionysodorus is correct then all will admit that he does know everything. Dionysodorus refuses the test because its logic is perfectly clear and perfectly reasonable:

- (i) Dionysodorus knows everything.
- (ii) Dionysodorus says that Euthydemus has x teeth.
- (iii) Euthydemus in fact has y teeth (where $x \neq y$).

Rather than debating (i) on an abstract or theoretical level, for example by defining knowledge and mapping the extent of possible human knowledge *à la* John Locke or Immanuel Kant, Ctesippus identifies a clear sign (*tekmērion*, τεκμήριον, c1) that what Dionysodorus says is true (*alēthē*, ἀληθῆ, 294c2), if indeed it is true. (ii) is deliberately and intelligently designed by Ctesippus to generate an independently verifiable result when combined with (i). To be fully explicit, then, we should state the implicit prediction derived from (i) and (ii):

- (i) Dionysodorus knows everything.
- (iia) Dionysodorus says that Euthydemus has x teeth.
- So (iib) Euthydemus in fact has x teeth.
- But (iii) Euthydemus in fact has y teeth (where $x \neq y$).

Ctesippus' intelligent choice of (iia) to add to Dionysodorus' assertion in (i) generates a result that is independently verifiable. Dionysodorus could write down the number of teeth he thinks Euthydemus has and hand that number over to a mutually agreeable judge. A disinterested third party could then count Euthydemus' teeth, write down the number, and hand it over to the judge who will compare the numbers and say whether they are the same.

Notice that of these two approaches, that is (1) the abstract, theoretical debate *à la* John Locke or Immanuel Kant and (2) the search for a clear sign of truth, the latter is better suited to a mystagogue. Rigging a situation that will result in a clear sign of the truth fails to provide the careful detail that an extended theoretical consideration can provide, but it does have the virtue of relying on what is easily accessible to the uninitiated who may not yet have the motivation or attention span for a prolonged, complex, and subtle discussion. A novice cannot be expected to follow a complex, abstract investigation, especially if we demand that the premises of our argument must simultaneously be established in our argument (and that the secondary premises that prove our primary premises must themselves be established by tertiary premises, and so on), but a novice can be expected to detect clear signs of truth/falsity that

quickly give a sense of some progress, even if that progress is merely refutation or disconfirmation.

Notice also that with this test we are not inclined to ask of Ctesippus what Vlastos asked of Socrates, that is how he “can claim . . . to have proved that the refutand is false, when all he has established is its inconsistency with premises whose truth he has not tried to establish in that argument.” Dionysodorus would be thrilled to hear Vlastos befuddled: “Yeah, Vlastos is right,” he might say. “Ctesippus has shown only that we cannot maintain all four claims simultaneously – we can *just as easily* reject (iia) or (iii) as (i); I think the count is wrong, obviously the counter took incisors to be teeth when I define teeth to include only canines, premolars, and molars. So my count was correct, and you have to accept that I do know everything.” Vlastos’ caution plays right into the hands of a shameless sophist. There is a thin line between being befuddled and being bamboozled. The requirement to use logical care is not a requirement of gullibility.

Ctesippus’ strategy of looking for a clear sign of truth is reasonable and familiar to all. It is the strategy famously used by Croesus to put the great oracles to the test. He sent sacred delegates to seven different oracles, commanding them to wait for the hundredth day from their departure to ask their respective oracles what the Lydian king, Croesus of Alyattes, was doing on that particular day (he mixed tortoise and lamb meat and boiled them together in a bronze cauldron with a bronze lid, Herodotus 1.48.2). Croesus’ strategy for testing the omniscience of oracles is similar to Ctesippus’ test of Dionysodorus’ claim to omniscience:

- (i) The oracle knows everything.
- (iia) The oracle says that Croesus is doing x.
- So (iib) Croesus is in fact doing x.
- But (iii) Croesus is in fact doing y.

In six of the seven cases $x \neq y$, and Croesus reasonably rejects (i) in all six cases. In the seventh case (the Pythia) $x = y$, and this is truly remarkable. In this case, (i) has a clear ring of truth about it, and Croesus reasonably accepts it. No doubt the six other oracles would be encouraged at Vlastos’ indecisiveness and would attempt to use it to save face because a successful oracle business can be quite lucrative, and all those donations can dry up quickly if people notice your predictive failures and draw the reasonable conclusion that you do not in fact know all.

The pattern of reasoning employed by Ctesippus and Croesus is familiar and widespread. It lies at the heart of Deuteronomy 18:21–22 which poses and answers the question of how we may recognize an oracle from the Lord: “When a prophet speaketh in the name of the LORD, if the thing follow not, nor come to pass, that is the thing which the LORD hath not spoken” (Jewish Publication Society of America Version of 1917). This standard is applied in the cases of Zedekiah and Micaiah (1 Kings 22:1–40, 2 Chronicles 18:5–34).

- (i) Zedekiah’s prophecies are from the Lord.
- (iia) Zedekiah prophesies that Ahab returns triumphant.

So (iib) Ahab returns triumphant.

But (iii) Ahab does not return triumphant.

Zedekiah stands refuted and convicted of being a false prophet. Woe unto him (see Deuteronomy 18:20). In contrast, Micaiah prophesied that Ahab does not return triumphant, and so his prophecy has the clear ring of truth.

In his classic work, *Philosophy of Natural Science*, Carl G. Hempel describes the testing of hypotheses in the natural sciences in such a way that they look remarkably like the previous arguments— including Socrates' refutations in the *Charmides* and *Laches*.

If a particular way of testing a hypothesis *H* presupposes auxiliary assumptions A_1, A_2, \dots, A_n — that is, if these are used as additional premisses in deriving from *H* the relevant test implication *I*— then, as we saw earlier, a negative test result, which shows *I* to be false, tells us only that *H* or one of the auxiliary hypotheses must be false and that a change must be made somewhere in this set of sentences if the test result is to be accommodated. A suitable adjustment might be made by modifying or completely abandoning *H* or by making changes in the system of auxiliary hypotheses. In principle, it would always be possible to retain *H* even in the face of seriously adverse test results— provided that we are willing to make sufficiently radical and perhaps burdensome revisions among our auxiliary hypotheses. But science is not interested in thus protecting its hypotheses or theories at all costs— and for good reasons.

(Hempel 1966, 28)

In other words, given that “reliance on auxiliary hypotheses . . . is the rule rather than the exception in the testing of scientific hypotheses” (Hempel 23), scientific verification and refutation will typically involve the following steps:

- (i) Hypothesis
- (iia) Auxiliary hypothesis
- So (iib) Test implications of the combination of (i) and (iia)
- But (iii) Observed test implications

A “negative test result” tells us— as Vlastos would no doubt agree— “only” *either* that the hypothesis is wrong *or* one of our auxiliary hypotheses is wrong *or* that the test results are not “to be accommodated.” Notice, however, that the beginning of the final sentence quoted earlier reveals that Hempel’s “only” is applicable provided that we are speaking “in principle.” In practice, science has good reasons for not behaving as Vlastos would have us behave. Hempel uses Pascal’s Puy-de-Dôme experiment as his example and cites the following quotation of Pascal as a model of scientific experimental reasoning.

If it happens that the height of the quicksilver is less at the top than at the base of the mountain . . . it follows of necessity that the weight and pressure of the air is the sole cause of this suspension of the quicksilver, and not the

abhorrence of a vacuum: for it is quite certain that there is much more air that presses on the foot of the mountain than there is on its summit, and one cannot well say that nature abhors a vacuum more at the foot of the mountain than at its summit.

(Hempel 1966, 29)

In the Puy-de-Dôme experiment, Pascal envisioned two simultaneous tests. The refutation of the “*horror vacui*” theory goes as follows:

- (i) The “*horror vacui*” theory.
- (iia) Nature abhors a vacuum equally everywhere.
- So (iib) The level of mercury in the tube is no lower when Pascal’s brother Périer carries his primitive mercury barometer to the top of Mt. Puy-de-Dôme than it was at the bottom of the mountain.
- But (iii) The level of mercury in Périer’s barometer is in fact four inches lower at the top than at the bottom of Mt. Puy-de-Dôme.

The verification of Torricelli’s theory that we live at the bottom of a (mostly) invisible sea of air goes as follows:

- (i) Torricelli’s “sea of air” theory.
- (iia) The higher one ascends, the lighter the pressure exerted by the “sea of air.”
- So (iii) The level of mercury in Périer’s barometer is lower at the top than at the bottom of Mt. Puy-de-Dôme.
- And (iii) The level of mercury in Périer’s barometer is lower at the top than at the bottom of Mt. Puy-de-Dôme.

As Hempel portrays scientific experimental reasoning, no further premises are involved. In particular, neither the denial of the “*horror vacui*” theory nor the affirmation of Torricelli’s “sea of air” theory is deductively entailed by the statements describing the experimental design and results. As with Ctesippus, Croesus, and Zedekiah, it is the “negative test result” that makes it reasonable for us, given the intelligent design of the experiment, to reject the “*horror vacui*” theory (i), and it is the positive test result that makes it reasonable for us – again, given the intelligent design of the experiment – to accept Torricelli’s “sea of air” theory (i). In some technical sense, we could save the “*horror vacui*” theory by rejecting (iia) and imagining with Pascal that for some strange reason “nature abhors a vacuum more at the foot of the mountain than at its summit,” but Pascal rightly doesn’t even dignify this with an explicit answer. Nor does he even bother imagining the possibility of refusing to accommodate the test results: in some technical sense we *could* say that Périer possibly misread the level of the mercury in the test tube, “But,” as Hempel points out, “science is not interested in thus protecting its hypotheses or theories at all costs – and for good reasons.”

But while this assumption [that is that nature’s abhorrence of a vacuum decreases with increasing altitude] is not logically absurd or patently false, it

is objectionable from the point of view of science. For it would be introduced *ad hoc* – that is, for the sole purpose of saving a hypothesis seriously threatened by adverse evidence; it would not be called for by other findings and, roughly speaking, it leads to no additional test implications.

(Hempel 1966, 29)

There would be no legitimate scientific reasons for saying what, in some technical sense, we could say to save the “*horror vacui*” theory, which means that although we could say those things, we shouldn’t because it wouldn’t be reasonable to say them. Although we can think of the refutation of the “*horror vacui*” as an instance of *modus tollens*, it would be more precise to say that the experiment does not *deductively* prove the falsity of the “*horror vacui*” theory and the truth of Torricelli’s “sea of air” theory, but it provides *sufficient reason* for drawing precisely those conclusions. Although neither the auxiliary hypotheses nor the observed test implications are actually proven to be true in the experiment, and in that sense we could say that the experiment “simply” assumes that they are true and that they enter the experiment “simply” as propositions on which the experimenters are all agreed, nevertheless they provide sufficient reason for concluding that the “*horror vacui*” theory is false and Torricelli’s “sea of air” theory is true.

There are a number of ways to explain why this procedure is reasonable. If we are epistemological foundationalists, then we might explain this pattern of reasoning by emphasizing the strength of the direct perceptual evidence provided by Pascal’s brother P rier. Until Torricelli’s “sea of air” theory was proposed, the “*horror vacui*” theory had a tremendous amount of observational data in support of it, but all that data is easily explained by Torricelli’s theory, and so the two have equal support. The experiment is intelligently designed to tip the evidential balance one way or the other on the basis of direct observational evidence.

Alternatively, if we are epistemological coherentists, then we might explain Hempel’s experimental reasoning as a matter of maximizing explanatory coherence among our beliefs. Again, once Torricelli’s “sea of air” theory is put forward, it suddenly becomes a matter of no consequence whether we accept or reject the “*horror vacui*” theory: all the phenomena that were explained by the “*horror vacui*” theory can just as easily and well be explained by the “sea of air” theory. Rejecting P rier’s report introduces a wide range of explanatory problems: how can we explain this simple cognitive failure in someone who is so clearly competent? If others try the same experiment and observe the same results, the explanatory problems multiply. We face the same increasing explanatory problems if we allow ourselves to suspect that nature’s abhorrence of a vacuum varies inversely with altitude. The experiment is intelligently designed to put us in a situation where one theory will provide significantly greater explanatory coherence among our beliefs than the other.

Or take the very recent theory of “epistemic contextualism” according to which the truth value of an attribution of knowledge is context dependent (for example Cohen 1999; compare DeRose 1992; Heller 1999). In the absence of Torricelli’s “sea of air” theory, the “*horror vacui*” theory seems perfectly reasonable, and

scientists are within their epistemic rights in claiming to know that nature abhors a vacuum. By seriously proposing his theory, Torricelli altered the epistemic context, as does Descartes when he raises the extreme doubts in Meditation 1. What it is legitimate to claim to know changes when the contextual possibilities change. Furthermore, “epistemic contextualism” usually includes something that might be called a “truth-tracking” feature. For example, DeRose enunciates what he calls a “Subjunctive Conditionals Account” (SCA) of the modern “brain-in-a-vat” (BIV) example of Cartesian skepticism.

According to SCA, the problem with my belief that I’m not a BIV – and I do have such a belief, as do most of us – is that I would have this belief (that I’m not a BIV) even if it were false (even if I were one). It is this that makes it hard to claim to *know* that I’m not a BIV. For, according to SCA, we have a very strong general, though not exceptionless, inclination to think that we don’t know that P when we think that our belief that P is a belief we would hold even if P were false. Let’s say that S’s belief that P is *insensitive* if S would believe that P if P were false. SCA’s generalization can then be restated as follows: We tend to judge that S doesn’t know that P when we think S’s belief that P is insensitive.

(DeRose 1995, 18)

By putting the two theories to the Puy-de-Dôme test, Pascal is deliberately keeping his beliefs “sensitive” in DeRose’s sense. As Périer is off climbing Mt. Puy-de-Dôme, Pascal holds himself ready to believe one way or the other: he wants his belief to be a result of the experiment; he does not want his treatment of the experiment to be a result of his antecedent beliefs. Hempel’s endorsement of this kind of reasoning also makes sense on DeRose’s “truth-tracking” SCA: the more we indulge ourselves in *ad hoc* reasoning, the less our beliefs are sensitive to the truth and the more our beliefs are determined by our own feelings of commitment to a theory or to our own feelings of embarrassment at being proven wrong.

The very same things that can be said in defense of (1) experimental reasoning in the natural sciences, as portrayed by Hempel, (2) the false prophet test as indicated in the Hebrew scriptures, (3) Croesus’ test of pagan oracles, and (4) Ctesippus’ test of Dionysodorus’ self-avowed omniscience. I collect all these together using Ctesippus’ Greek word “*tekmērion*” and refer to it as “clear sign reasoning.” It seems to me that well-designed clear sign reasoning makes perfect sense on “burden-of-proof” foundationalism: a well-designed test places the burden of proof on the claim that is being challenged, and a successful well-designed test gives us more or better reason (more foundational reason) to reject the challenged claim than any other claim involved in the test. Clear sign reasoning also makes sense on a coherence theory of justification: a well-designed test confronts us with a situation where our belief system must be modified in one way or another, and a successful well-designed test is one where giving up the challenged claim does less damage to the explanatory coherence of our belief system (or indeed positively enhances the explanatory coherence of our belief system) than any

alternative choice. Finally, clear sign reasoning makes sense on “truth-tracking” epistemic contextualism. A well-designed test places our belief in a context where it will either satisfy our expectations or create a jarring cognitive dissonance, and a successful well-designed test is one that reveals us to be tracking the truth rather than grasping at straws to maintain a thesis.

I believe I could go on with many other epistemological theories because I think that the reasonableness of clear sign reasoning is primitive – or at least more primitive than fully developed epistemological theories. Accounting for the reasonableness of clear sign reasoning seems to me to be a case of explaining the clear by the obscure. Rather than judging Ctesippus’, Croesus’, the Hebrews’, and Hempel’s reasoning by its validation on some favored epistemological theory, it seems to me that we ought to determine the favor in which we hold various epistemological theories at least partly by whether or not they validate intelligently designed clear sign reasoning. Notice, for example, that Descartes is careful in Meditation 1 to point out that he indulges his skeptical fantasy only from the security of his armchair. As a purely theoretical exercise, Cartesian skepticism is a perfectly legitimate enterprise. It is surely no accident that the famous (or infamous) final paragraph of the *Meditations* has Descartes eagerly trying to convince us that the results of his theoretical inquiry do indeed validate much of our ordinary patterns of reasoning. To some extent he was aware that many of his readers would be more likely to judge his epistemology by how well it verified familiar forms of reasoning than they would be to judge familiar forms of reasoning by his epistemology.

If Hempel is right about experimental reasoning in the natural sciences, and if I am right to connect this with clear sign reasoning, then Socrates’ refutations are perfectly reasonable, and my “Problem A” is solved. Socrates’ refutations are examples of well-designed clear sign reasoning. Socrates and his interlocutors are right to reject (i) as false when confronted with (iia) and (iii) because his well-designed refutations provide a clear sign that the initial proposal of the interlocutor is false.

If we are foundationalists, then we should see that the burden of proof has not been borne by (i). In each case, (iia) and (iii) always have evidence and reasons in their support,⁷ and they always create a serious problem for (i). Here are all the propositions used for (iia) in the *Charmides* and *Laches*.

- (iia1) Temperance is fine.
- (iia2) Temperance is good.
- (iia3) A temperate state is well governed.
- (iia4) Doing good does not require knowing that you are doing good.
- (iia5–6) Temperance is beneficial.
- (iia7) Scythian cavalymen are courageous.
- (iia8–9) Courage is fine.
- (iia10) Intelligent investment is intelligent endurance.
- (iia11) Lions do not have knowledge.
- (iia12) Knowledge of good and bad is the whole of virtue.

None of these is put forward as a guess or hypothesis of the interlocutor's. (iia1), (iia2), (iia5–6), and (iia8–9) are deeply and widely held ethical convictions, and as such we can expect a great many people to be able to provide – if pressed – a wide variety of evidence in their support.⁸ Scholars regularly overlook the cultural context of these agreements and so are blind to the extent to which they rest on ordinary observational evidence (Wolfsdorf is guilty of this sort of oversight at Wolfsdorf 2008, 192–6). For example, certain kinds of intemperance as well as cowardice could result in legal *atimia* – disgrace, deprivation of honor, disfranchisement (McDowell 1978, 124–6, 160): observing the sorry lot of cowards and intemperate knaves would have made it directly evident to an Athenian's senses that cowardice and intemperance are shameful, bad, and detrimental, and hence it would have been obvious by stark contrast that virtue is fine, good and beneficial. (iia11) is a deeply and widely held conviction in whose favor a wide variety of evidence could easily be brought, if anyone cared to ask for it. For example, the horses of Achilles who weep at the death of Patroclus are prodigies whose exceptional nature proves the rule for other animals (*Iliad* 17.426–460). (iia3) and (iia4) are closely connected to deeply and widely held ethical convictions, and they derive tremendous probative value by this connection, but they also involve the evidence of the senses: any reasonably intelligent Greek could easily provide numerous clear examples in support of both propositions, if anyone cared to ask for them. For example, it would be difficult to gainsay (iia3) in the face of *Rhetoric* 1.9.1366b13–15: according to Aristotle, temperance and lawfulness go hand in hand. Furthermore, Ajax' praise of ignorance (Sophocles, *Aias* 554) indicates a source of much evidence in support of (iia4). (iia7) is derived from the evidence of the senses; any reasonably intelligent and experienced Greek – especially generals like Laches and Nicias – could be expected to have eye-witness or reliable second-hand evidence in support of it. Herodotus' grudging respect for the Scythians, for example, is evidence in favor of (iia7) (Herodotus 4.46, compare 1.106). (iia10) is an observational “no-brainer,” unless Laches chooses to be more careful in defining “endurance” (which he is not). (iia12) is special, and I will have more to say about it later, but it is clearly advanced as more than just a guess or hypothesis: it is advanced and agreed to on the basis of thoughtful examination, and reasons are explicitly given in its favor.

The same is true for all the propositions used for (iii) in the *Charmides* and *Laches*. Here they are.

- (iiia1) Calmly writing letters is not finer than quickly writing letters.
- (iiia2) Modesty is not always good.
- (iiia3) Such a state is not well governed.
- (iiia4) Temperance does require knowing that you are doing good.
- (iiia5) Self-knowledge is not beneficial.
- (iiia6) Knowledge of good and bad is not beneficial.
- (iiia7) Scythian cavalymen don't stand and fight.
- (iiia8) Endurance is not always fine.
- (iiia9) Intelligent investment is not courageous.

- (iiia10) Foolish endurance is not fine.
- (iiia11) Lions are courageous.
- (iiia12) Courage is not the whole of virtue.

Here, (iiia1), (iiia2), (iiia7), (iiia8), (iiia9), (iiia10), and (iiia11) are evident to the senses. These claims are brought in as being clear to any reasonable person who opens his or her eyes and looks. Scholars overlook the fact that at *Apology* 21b7–23c1 Socrates makes it clear that although he chooses a wide variety of interlocutors, he is not exactly catholic: he prefers to investigate and refute people with a reputation for wisdom (compare *Apology* 23b6). He doesn't examine idiots and fools who might bring something into the conversation "simply" as an assertion. Surely it is no accident that his examination of courage involves Laches but not Cleonymus the shield-tosser, and his examination of temperance involves Charmides but not Alcibiades.⁹ If Socrates discussed temperance with an intemperate drunkard or if he discussed courage with a traitorous coward we might well have grounds for saying that their assertions are "simply" or "merely" propositions they have put forward; we might well have grounds for thinking that such people don't know what they are talking about. Far from expecting his interlocutors simply to blurt out whatever sincere belief happens to pop into their heads, he assumes they are reasonably intelligent and in a position to know, if anybody does, what he asks them. In the *Euthyphro*, for example, Euthyphro himself sets up the expectation that if anybody knows what holiness is, he does. (iiia3) and (iiia4) are connected to widely and deeply held moral convictions in whose support a great many people could easily provide a wealth of supporting evidence, if anybody asked for it. (iiia3) is connected to widely and deeply held beliefs about the eusocial behavior of virtuous people, but it is also supported by observational evidence: in every functioning society there is a division and interconnectedness of people doing other people's business (for example providing goods and services to others, compare *Republic* 2.369b5–c8). (iiia4) is connected to the Greek reverence for the Pythian dictum "know thyself." Perhaps Croesus is the most famous evidence for the truth of "know thyself": it was his failure to know himself that caused him to think he was not vulnerable to the vicissitudes of human life, and so his ambition and willingness to indulge in violence grew, leading to his downfall (Xenophon, *Cyropaedia* 7.2.20–25). I will return to (iiia12) in the following, but it is treated as evident to the senses. I will return to (iiia5) and (iiia6) in the following as well, but they are clearly advanced as more than just guesses or hypothesis: they are advanced and agreed to on the basis of thoughtful examination, and reasons are explicitly given in their favor.

Hence, in all cases in both the *Charmides* and the *Laches*, (iia) and (iii) enter the argument as more than just propositions asserted and agreed to. In all cases, (iia) and (iii) are brought forth as being true, and as having probative weight that could be displayed, if anybody asked for it. If we are foundationalists, then, we have good reason to accept that Socrates proves (i) to be false by his intelligently designed clear sign tests.

Furthermore, Socrates and his interlocutors are reasonable to reject (i) in the face of (iia) and (iii) if we are coherentists. In each case, (i) would provide an

explanation for some of the putative facts about courage and temperance, but given the wealth of evidence and reasons supporting (iia) and (iii) (as I just indicated), accepting (i) at the cost of (iia) or (iii) creates more explanatory gaps than retaining (iia) and (iii) at the cost of (i). For example, it certainly would explain a lot about courage if courage is the knowledge of what is and is not to be feared (*Laches*, fifth refutation 196d1–197c1), but this would leave the immense problem of explaining how lions can learn what few humans can learn (*Laches* 197a1–5), or it would leave the problem of explaining how so many people can be so wrong about the courage of lions, especially when their courage seems patently obvious (*Laches* 197c3–4). Nicias takes up the challenge, and because he draws a reasonable distinction showing that in fact we enhance the explanatory coherence of our beliefs if we retain (i) and reject (iii) as merely approximately or apparently true, Socrates is perfectly willing to go along with Nicias. This suggests that he would be perfectly willing to go along with any other interlocutor who sincerely challenges (iia) or (iii). The fact that this is the only example of an interlocutor rejecting anything other than (i) should suggest exactly the opposite of the view that these are all “simply” agreed upon: reasonable, well-informed, and thoughtful people see that Socrates selects (iia) and (iii) intelligently, and so they see that he regularly provides a successful refutation of (i).

The same considerations also show that Socrates and his interlocutors are reasonable to reject (i) in the face of (iia) and (iii) if we are contextualists. In contexts with which Meno, for example, is familiar, he speaks quite well about virtue (*Meno* 80a8–b4), but Socrates manages to place Meno’s beliefs in a context where he is tripped up. The human tendency toward “confirmation bias” (compare Oswald and Grosjean 2004) explains why it isn’t difficult for people to find contexts in which their assertions about virtue are reasonable. Charmides, for example, might be thinking about the roughhousing of his schoolmates, and in that context it seems reasonable to suggest that the intemperate students are noisy and quick, like storm-tossed seas, while the temperate students are more measured and calm, like peaceful seas. Socrates, however, insightfully places his interlocutors’ answers to his original question in contexts where they don’t quite ring true. The challenge, then, is to keep our beliefs properly sensitive *to the truth* instead of *to our own pride*. Socrates’ clear sign reasoning can be understood as an insistence on a “Subjunctive Conditionals Account” (SCA) of belief: it is a way of testing whether his interlocutors will follow where the evidence leads or will maintain their theses to avoid embarrassment (see *Charmides* 164c7–d3). Recall further that in Socrates’ first refutation of Charmides, the particular actions he asks about are quick and calm actions, not temperate actions. This easily enhances the sensitivity of the situation. When Charmides has just said that temperance is calmness, he may very well have a strong tendency to make his assertions track not the truth but only his own consistency if Socrates asks him whether this or that calm action is temperate. By asking whether this or that calm action is fine – or is finer than an incompatibly quick action – Socrates helps Charmides avoid the temptation to say what consistency with his original assertion demands and instead say what he sincerely believes to be the truth.

These same considerations also show that Socrates and his interlocutors are reasonable to reject (i) in the face of (iia) and (iii) if we are Bayesians with respect to theory confirmation and disconfirmation (compare Jeffrey 1983, 1992). When (i) is first proposed, it is rightly assigned a non-negligible probability; immediately after Charmides gives his first definition of temperance, for example, Socrates congratulates him by saying, “You speak well . . . people do say the calm to be temperate.” However, the probability of (i) drops significantly once the evidence in (iii) is brought to bear. This is particularly clear on a simple Bayesian theory where observation statements are given a probability of one: as I have shown earlier, (iia) and (iii) are often observation statements and so will be counted by a simple Bayesian as providing rock-solid disconfirmation of (i). But even on a moderate Bayesianism that grants to observation statements a probability of less than one (but more than zero), the evidence I have provided gives us good reason to think that the prior probabilities of (iia) and (iii) would be greater than the prior probability of (i) so that when we confront the hypothesis in (i) with the evidence, the prior probability of the hypothesis is decreased, that is (i) is disconfirmed.

Again, I think I could go on with professional epistemological theories because it seems to me that Socrates relies on a procedure whose reasonableness is primitive – or at least more primitive than professional epistemological theories. I have belabored the point because Vlastos’ view has been so influential. Even those who have serious disagreements with Vlastos often accept his basic view of the *elenchos* that unless it is supplemented by some sophisticated additional assumptions, it is nothing more than an inconsistent set of propositions, any one of which may be rejected to avoid the inconsistency. A careful examination of the text, however, reveals quite a different picture.

Socrates’ regular practice of giving up (i) as false when confronted with (iia) and (iii) is reasonable. This is what I have called Problem A, and I think Problem A is easily solved: since I think the reasonableness of Socrates’ procedure is primitive – or at least more primitive than developed epistemological theories – I can say that if anything is reasonable, Socrates’ choice to relinquish (i) when confronted with (iia) and (iii) is reasonable. What is important in Vlastos’ insight should be posed as what I call Problem B, that is the mere fact that Socrates has made a reasonable choice in relinquishing (i) does not entail that he has made the right choice;¹⁰ what guarantee or fail-safe can Socrates provide to ensure that in each case the reasonable choice is the right choice?

Section 3: Interpretive misconceptions

The method of refutation I have attributed to Socrates is a folk strategy familiar in many cultures and is well suited to a mystagogue. But its simplicity might be thought a strike against it as an account of the widely varied gambits employed by Socrates. Before I proceed to show in what specific ways I think Socrates’ philosophical activity in the *Charmides* and *Laches* is a bit more sophisticated

than I have so far portrayed it, I pause to defend my interpretation from several criticisms.

Perhaps there is a cultural misunderstanding at work in our modern tendency to assume that Socratic philosophizing must be much more complex than it appears.¹¹ Often in our professional philosophical culture a simple sentence states a simple claim and complex statements require complex sentences. But in Socrates' culture, complex and profound claims were often made by extremely simple expressions; for example, "know thyself" (*gnōthi seauton*, γνῶθι σεαυτόν) and "nothing in excess" (*mēden agan*, μηδὲν ἄγαν). Greece had a long tradition of "gnomic" literature in which the writer tried to fashion a verse that was beautiful, simple, and yet profound. Perhaps a good modern match for this linguistic phenomenon is the notion among mathematicians of a proof that is "elegant." An elegant proof is short, simple, and yet still perfectly effective. Simplicity does not entail banality. It seems to me that this is the attitude we need when approaching Socrates; Socrates was a master of the elegant refutation.

Also, I fear that all too often we mistakenly assume that dendrology obviates ecology. Two major determinates of crown fire hazard are canopy bulk density and canopy base height (Keyser and Smith 2010). It doesn't matter whether this tree or that tree, this branch or that branch, is contributing to the density of the canopy; what matters is that some trees or other with branches in some configuration or other are creating a canopy of a certain density. It is not the fineness of detail with which we study individual trees that allows us to learn the crown fire hazard in a particular region; rather it is our study of the bulk density and base height of a canopy that allows this. Forests have substantial compositional and configurational plasticity (on compositional and configurational plasticity see Boyd 1980, 87–91, and Kim 1972). Individual trees come and go, but the crown fire hazard of a forest can remain fairly constant.

We commit this error when, for example, we object to Hempel on the grounds that he lumps together all of the "natural sciences" and portrays all of their procedures with the same abstract account of experimental reasoning. No doubt physicists, chemists, biologists, seismologists, astronomers, and so on will employ a very wide variety of experimental techniques, and for the purposes of each science these differences are of great practical significance. But from this it does not follow that a study at Hempel's level of abstraction is worthless. Dendrology does not obviate ecology. A number of very interesting conclusions can be drawn from Hempel's (1966) study, for example regarding the nature and status of scientific "laws" (ch. 5), the threat of "operationalism" (ch. 7), and the worry of scientific "reductionism" (ch. 8). But not the least of the results of Hempel's willingness to study the forest rather than the trees is the fact that scientific progress can and does result in the absence of the kind of indubitable certainty sought by Descartes.

If we look through Socrates' arguments, we will find that each one is unique and has very many differences from each other argument. This is true in the *Charmides* and *Laches*, and it is far truer if we consider all of Socrates' arguments in all

of Plato's dialogues. Here I think that the most sensible study is that of Carpenter and Polansky:

This investigation suggests the unlikelihood of developing any straightforward general account of Socratic elenchus. This hardly denies, however, that the elenchus that constitutes nearly all of Socratic conversation is his principal procedure of philosophical investigation. It suggests the value of expanding reflection upon Socrates' methods beyond too narrow a view of the logic of elenctic refutation.

(Carpenter and Polansky 2002, 100; see also Benson 2002, 107)

Carpenter and Polansky persuade me that we would be ill advised to look for any characterization other than "elenchi" to cover all the refutations carried out by "Socrates" in Plato's dialogues. I certainly have not tried to do this. Nevertheless, cataloging all the many differences in arguments given by "Socrates" in Plato's dialogues can make us lose sight of the prominent method "Socrates" uses in the *Charmides* and *Laches* (and elsewhere) to such spectacular effect. Socratic elenchi display substantial compositional plasticity. My account of Socrates' method abstracts from a great many differences between particular arguments. I am not denying those differences (in fact I delineated many of the important differences when I systematically went through the support that could be given to the various premises) just as Hempel does not deny the important differences between the experimental reasoning of chemists and astronomers. But I do believe that an account of experimental reasoning as abstract as Hempel's is still significant, and it does seem to me that an account of Socratic elenchi as abstract as mine is still significant. For example, it shows that Socrates elegantly proves not only *that* but also *why* his interlocutors' suggestions are false.¹² Although the elenchi I have considered in detail typically involve propositions on which Socrates agrees with his interlocutors, not every elenchos involves such propositions (compare Benson 2002, 107; Brickhouse and Smith 2002, 147). An injudicious survey of Socratic elenchi will fail to reveal the probative value of many elenchi simply because it is not true that everything worthy of the name "elenchos" has probative weight against one specific claim.

A different analogy might be helpful. There is no single, determinate, and true account of all the things a plumber does at a job site. She may wash her hands, lay out tools, consult blueprints, detect and diagnose faults in plumbing systems, eat lunch, join pipes, cut pipes, test pipes, and so on: other than the indeterminate description "doing a plumbing job" there is no single accurate account of all these activities. And yet, among them, there are easily discernible activities that are distinctive of expert plumbers and deserve verbal recognition as "plumbing" more than other activities. The Socratic elenchos upon which I focus is to Socratic philosophizing what "detect and diagnose faults in plumbing systems" is to "doing a plumbing job."¹³

Since the very notion of "the Socratic method" has come under attack (for example, by Brickhouse and Smith 2002), I should provide an explicit argument

in defense of the notion. The OED defines a “method” as “a way of doing anything, esp. according to a defined and regular plan; a mode of procedure in any activity, business, etc.” Twelve times in the *Charmides* and the *Laches* Socrates employs the procedure of testing an answer to his question by looking for a clear sign of truth. Clear sign reasoning is well defined (the definition is clear to Croesus and to any false-prophet-tester), 12 times counts as “regular,” and it is clearly Socrates’ “plan” to use this procedure repeatedly, so Socrates employs a “defined and regular plan.” Hence, Socrates’ clear sign reasoning in the *Laches* and *Charmides* is a “method,” and because the singular definite article in English is “the,” there is such a thing as “the Socratic method.”

In fact, we might very well say that by using the word “*tēde*” (τῇδε)—“in this way” or “by this method” (dative of manner) – at *Charmides* 158e6, Socrates himself licenses talk of “the Socratic method:” “this method of inquiry . . . seems to me to be best.”¹⁴ Furthermore, we are within our rights to refer to “the Socratic method” as “the elenchos” (or “elenchus” for Latinizers). At *Charmides* 166c5, Critias levels the following allegation against Socrates: “you are doing what you just now denied that you were doing, for you are trying to refute [*elenchein*, ἐλέγχειν] me instead of following what the *logos* is about.”¹⁵ Actually, what Socrates said earlier (at 165b5–c2) is that he does not know the truth of the matter and is inquiring with Critias. Critias is confused about the adversarial nature of refutation: Socrates’ approach can be called “adversarial” insofar as it involves the attempt to refute the interlocutor’s proposal, but it is friendly (and hence can be called “non-adversarial”) insofar as this attempt at refutation is thought to be an important part of getting to the truth (as Socrates patiently explains at *Meno* 84a3–c9). Socrates’ reply to Critias clears things up: “How can you think that if I refute [*elenchō*, ἐλέγχω] you, I pursue the refutation [*elenchein*, ἐλέγχειν] for any other reason than the one I would have for investigating myself, that is fearing lest I failed to notice that I thought I knew something I did not know” (166c7–d2).¹⁶ “Fail fast” is a principle of project management: if your project is going to fail, it is better that you discover this quickly so that you waste as little time on it as possible. You are doing the creator of the project a favor by trying to make the project fail fast. As Socrates conceives of what he is doing, he is using an adversarial procedure properly called, in the infinitive, “*elenchein*,” but one that is perfectly in harmony with his anti-adversarial relationship with his interlocutor.

Hence, there is such a thing as “the Socratic method,” Socrates himself explicitly refers to it both as a “method” and as a means of refutation (elenchos), and so we are right to refer to the method I have identified as either “the Socratic method” or “the Socratic elenchos [elenchus].” If you look closely enough, each tree and each branch will reveal its own uniqueness, but there is a forest nonetheless.

Of course, by the “Socratic” method I do not mean to imply that nobody else has ever used the method, or even that Socrates is the inventor of the method. I mean simply that Socrates is one of the most famous individuals to use this kind of reasoning prominently.

Next, by “the” Socratic method I do not mean the absurd claim that every utterance of Socrates was in the employ of one and only one method. Cast your net

too widely and all the fish swim through. Allow yourself to generalize about “the Socratic elenchos” only on the basis of what all elenchi – or “all of Socrates’ various arguments” (Brickhouse and Smith 2002, 147), or worse, all of “Socrates’ philosophizing” (152) – share in common and the result will be uninteresting. More careful searching reveals that in the *Charmides* and *Laches* (as well as other places), Socrates employs an elegant method of refutation that allows him not only to prove that and why certain answers to his questions are false, but also helps him make some very surprising discoveries (as I show in the following and in chapter 4).

Also, by “method” I do not mean “methodology.” When it comes to transplanting, every serious gardener has a method, but few have a methodology. Wolfsdorf goes astray when he denies that Socrates conceives of himself as having a method “insofar as the concept of method implies a relatively systematic and theoretically based procedure” (Wolfsdorf 2003, 301): substitute the word “methodology” for “method” and the claim will turn out to be true rather than false. A gardener doesn’t need a methodology of transplanting methods in order to be successful in transplanting plants, and a mystagogic philosopher doesn’t need a methodology of refutational methods in order to be successful in refuting philosophical proposals. While Socrates’ procedure is regular, I’m not sure I would call it “systematic,” and I surely would not call it “theoretically based.” It is a folk strategy familiar in many different cultures. While this does entail that he lacks, and does not conceive of himself as having, a methodology, it does not mean that he lacks a method.

Finally, there are two more philosophical obstacles that can get in the way of seeing Socrates’ simple method as elegantly effective. First, we might find it difficult to take seriously Socrates’ insistence on perceptual awareness of ethical truths. If we are inclined to draw something like a fact/value distinction, then we may think that it is naïve to treat ethical claims as susceptible to direct perceptual confirmation. We may then seem to be on the horns of a dilemma: either Socrates is naïve or his arguments are more sophisticated than they appear. I deal with this in the following under the heading, “The fact/value boondoggle.”

Second, we may tend to commit what I call “the doxastic fallacy.” Therapists urge caution when confronting delusional people about their false beliefs. It can be prudent to make the “doxastic ascent” with someone who claims to be hearing the voice of Satan: we can focus on this as simply one belief among many and exclude consideration of the truth of the belief or the probative value of the fact that this person sincerely believes it to be true. I contrast the “doxastic ascent” with the “referential descent.” We make the referential descent when we take the sincerity of someone’s beliefs as an indication that the belief is both true and probative. For example, from the fact that a physician *sincerely believes* that my medical condition is curable, and isn’t *merely saying* that my condition is curable to make me feel better, I infer that it is true that my condition is curable, and the sincerity of the doctor’s belief can legitimately be cited by me as evidence proving that my medical condition is curable. We commit the doxastic *fallacy* when we inappropriately make the doxastic ascent. For example, when a bridge inspector

says, “I sincerely believe that this bridge is unsafe,” we commit the doxastic fallacy if we infer that this expression of a sincerely held belief is *merely* an expression of a sincerely held belief, that is, that it is not true and that it lacks probative value. I deal with this in the following under the heading, “The doxastic fallacy,” and this is where I give my main argument against the non-constructivist interpretation of Socrates’ *elenchos*.

The fact/value boondoggle

As I understand the success of Socrates’ refutations, they often rely on the evidential weight of observation statements. The problem is that Socrates is focused on ethics, and many modern philosophers are inclined to see value judgments as nothing more than expressions of personal preference or social mores. Combined with an inclination to see in Socratic refutations nothing more than an indeterminate contradiction in a set of assertions and it will seem to many to be a slam-dunk that Socrates never intends any of his *elenchi* to have a constructive conclusion.

If we think that it is naïve to assume that some ethical claims can carry all the evidential weight of normal observation statements, then we must conclude that Socrates was naïve. Socrates explicitly states that if temperance is in Charmides, then he has some “perception” (*aisthēsin*, αἴσθησιν, 159a2) of it. It was perhaps from misplaced philosophical embarrassment that Jowett could not bring himself to provide an adequate translation here, using the hopelessly vague phrase “intimation of” to render the perfectly clear “*aisthēsis*.” We mustn’t lose sight of the fact that Socrates’ investigation of temperance is with a young man reputed to be temperate and that his investigation of courage is with two Athenian generals. Who is better situated to perceive the courage of courageous soldiers than a general? Who is better situated to perceive the temperance of temperate schoolboys than a temperate schoolboy at school? A general who is incapable of directly perceiving which of his soldiers are the courageous ones is likely to make serious mistakes when deciding whom to place in the right-most files and in the front-most ranks, and this can make the difference between glorious victory and disastrous defeat. A young man who is incapable of directly perceiving which of his associates are the temperate ones is likely to make serious mistakes when deciding with whom he will spend his time, and this can make the difference between beneficial friendships and disastrous liaisons.

Our view here may be influenced by our own philosophical view of the alleged fact/value distinction. In my view, this distinction is a snare and a delusion; the only useful insights gained through its consideration are those gained through exposing the mistakes upon which it rests (compare Brink 1989, 109–10, 135–9; Miller 1992, 60–73; Irwin 2009, chapters 90, 92–4).¹⁷ So I feel no philosophical embarrassment in giving a perfectly natural translation of Socrates’ “*aisthēsis*” in this passage or in faithfully portraying Socrates as treating both particular and general ethical judgments as matters of direct observation. This is how Socrates himself behaves, so our interpretation must reflect a method that treats assertions that such and such is “fine” or “good” as having all the standard probative value

of observation reports and not as suddenly and radically shifting us into a context where we are simply considering propositions as such, stripped of all their ordinary probative value. We might think Socrates is naïve here – I do not – but we mustn't allow our desire to attribute a philosophical view like our own to Socrates when this view is clearly at odds with the text.

The doxastic fallacy

Socrates believes it is important not to think that you know something you do not in fact know (for example, *Charmides* 166d1–2). So a prominent use of the elenchos is in helping people realize that there are some things they do not know. The first step in solving a problem is noticing it (as Socrates emphasizes at *Meno* 84a3–c9). As a philosophical mystagogue, this use of the elenchos is extremely important. Hence it is appropriate for Socrates to make the doxastic ascent: regardless of whether his interlocutor's sincerely held beliefs are true or probative, the mere fact that they hold them and cannot successfully defend them gives an indication of the interlocutor's epistemic condition in their regard. So far the doxastic ascent is perfectly appropriate because it is an important part of Socrates' mystagogic function.

The doxastic ascent is inappropriate, however, insofar as we make it exclusively and infer that the *only* thing we learn from an interlocutor's unsuccessful defense of sincerely held beliefs is the interlocutor's epistemic condition. We might think that this exclusive use of the doxastic ascent is legitimized by what Vlastos called the “say what you believe requirement” (Vlastos 1994, 7) and Irwin called the “demand for sincerity” (Irwin 1995, 20). If being sincerely believed by the interlocutor is the one and only property Socrates requires to make a claim admissible in an elenchos, then the elenchos may seem to put us in a context where the exclusive use of the doxastic ascent is legitimate. This is Benson's view.

One of the unique features of a Socratic elenchos is the constraint Socrates places on its premises – what I have called elsewhere the doxastic constraint. In short, Socrates believes that any proposition is an acceptable premise in an elenctic encounter just in case it is believed by his interlocutor. It is not just that being believed by the interlocutor is a necessary condition for being an acceptable premise. It is a sufficient condition as well. No other property is thought necessary for premise acceptability.

(Benson 2002, 105)

The doxastic constraint is crucial in what Benson calls “The Argument Against Constructivism” (Benson 2011, 186–7).

- (1) The only property that Socrates requires the premises of the *elenchos* to have is that they are believed by the interlocutor.¹⁸
- (2) The property of being believed by the interlocutor is also required of the refutand.

- (3) Consequently, Socrates fails to recognize an epistemic distinction between the premises of the *elenchos* and the apparent refutand, they are equally credible.
- (4) Consequently, Socrates fails to take the falsity of the apparent refutand as established.

If P and not-P are equally credible, then not-P does not refute P any more than P refutes not-P. A useful analogy is with coin-operated machines. Such machines are designed to accept tokens within certain size, shape, and weight specifications so we might say that the designed specifications constitute necessary and sufficient conditions for token acceptability. The trouble is that in addition to legal tender, there are slugs and counterfeits that satisfy the designed specifications. In an argument, a “slug” is a claim that is neither true nor probative. A “counterfeit” is a claim that appears to be, but is not, both true and probative. “Legal tender” in an argument is a claim that is both true and probative. While the sincerity requirement could be thought of as an attempt to exclude “slugs” from an *elenchos*, it is not effective at keeping out “counterfeit,” and without doing that, Socrates cannot reasonably think that his *elenchi* prove the refutand to be false.

One way to express Benson’s view is that Socrates’ *elenchi* test merely the “doxastic coherence” of an interlocutor’s sincerely held beliefs (given the complications that some of the interlocutor’s beliefs may be somewhat indefinite, confused, and only weakly held; Benson 191–2). I agree with Benson insofar as he argues that demonstrating the “doxastic incoherence” of the interlocutor’s beliefs shows that the interlocutor lacks a robust kind of knowledge that, in Socrates’ view, would be desirable (Benson 197). My distinction between epistemic immaturity and maturity (in chapter 2, section 3) is intended to capture this point. But we can see that something has gone wrong in Benson’s view when he states what he takes to be a limitation on what may be inferred from doxastic incoherence.

Evidence of such doxastic incoherence provides no reason to suppose that some allegedly targeted belief is false or that its negation is true. For this we need evidence that Socrates thinks degree of belief or definiteness of belief carries with it some epistemic weight. [Footnote to this sentence:] Even this would not suffice. We would need evidence that all of the premises of the *elenctic* episodes are more strongly held or more definite than the interlocutor’s commitment to the apparent refutand.

(Benson 2011, 193)

On the contrary, however, degree/definiteness of belief is irrelevant to the falsity of the refutand: delusional people can have an inordinately high degree of especially definite belief in their delusions, but these qualities have no probative value whatsoever. Contrary to Benson, doxastic incoherence in which the interlocutor gives up the refutand in light of the premises with which the refutand is incompatible provides reason to suppose that the refutand is false if the interlocutor has correctly noticed (1) the incompatibility (that is, if the premises are true, then

it is reasonable to infer that the refutant is false) and (2) the truth of the premises. Such doxastic incoherence provides *good* reason to suppose that the refutant is false if the interlocutor has correctly noticed (1) the incompatibility, (2) the truth of the premises, and (3) the fact that the premises have epistemic value (for example, that they are supported by substantial evidence). Unless we assume that Socrates' interlocutors are delusional or stupid, we are unjustified in assuming that none of their sincerely held beliefs are true or have epistemic value. The mere fact that they are sincerely held is no guarantee that they are true or that they have epistemic value, but the mere fact that they are sincerely held is no guarantee that they are false or that they lack epistemic value.

For a helpful contrast, we should notice that non-constructivism is clearly true of the eristic elenchos employed by Euthydemus and Dionysodorus.¹⁹ At *Euthydemus* 275e1 Socrates encourages Clinias to answer the question Euthydemus asked "bravely, whichever [answer] seems right to you."²⁰ As Clinias is giving his answer to Euthydemus, Dionysodorus leans over and whispers to Socrates that Clinias will be refuted (*exelenchthēsetai*, ἐξελεγχθήσεται, 275e6) no matter what his answer is. Clinias says that the wise are the learners, and Euthydemus easily refutes his claim by pointing out that because learning is a process of coming to know something you do not know, it is the ignorant and not the wise who are the learners. Before Clinias can even take a breath Dionysodorus jumps in and refutes this claim by getting Clinias' sincere agreement that it is the wise and not the ignorant students who learn from dictation. Socrates easily spots the fallacy of ambiguity and points it out to Clinias (277e3–278b2). Here we clearly have two elenchi derived from the sincerely held beliefs of the interlocutor, but they clearly fail to prove that the refutant is false. This is a non-constructive elenchos, and so perhaps "refutation" is not the correct translation of "elenchos" here: the eristic elenchos might more accurately be thought of not as "refuting" proposals, but only as "discrediting" them (sometimes through disreputable means, see 303d2–5). Socrates explicitly tells Crito that these eristics can discredit any claim whether true or false, and so clearly the truth value of the refutant – or, rather, the claim to be discredited – is irrelevant. If the Socratic elenchos actually refutes proposals rather than merely discrediting them, then it must be substantially different from the eristic elenchos.

The first substantial difference is that in a Socratic elenchos, but not in an eristic elenchos, it is important that the interlocutor correctly understand the question being asked, otherwise his answer will not be to the point: compare *Euthydemus* 295c4–7 with *Charmides* 163d5–7 and *Laches* 198b3–5. For example, when Euthyphro answers Socrates' "What is holiness?" question by saying that what he is currently doing is holy, Socrates rejects the answer because it is not an answer to the question he meant to ask (*Euthyphro* 6d9–e1). The one asking the questions sets the agenda. Socrates isn't eliciting an indiscriminate list of all and only the sincerely held beliefs of his interlocutor, he's intelligently targeting a very specific sub-set of his interlocutor's sincerely held beliefs. The principles delineating the sub-set constitute additional conditions on the acceptability of premises and alleged refutands in a Socratic elenchos, and it is in these additional conditions

that the epistemic difference between the premises and the refutant is to be found. The first additional condition is, in effect, to accept that Socrates sets the agenda, and so the acceptable answers to his questions must be to the point and not based on a misunderstanding. Like a detective trying to discover the perpetrator of a crime, whether the inquiry leads to the truth depends not only upon the sincerity of the answers the detective gets, but also upon whether the detective asks the right questions of the right people.

To see two more additional conditions, notice that it is precisely Socrates' intelligent targeting of his questions that leads Critias to object that Socrates is merely trying to refute him instead of following the argument (*Charmides* 166c4–6). A modern comparison can help to make Critias' concern clear. Modern therapists sometimes talk of “boundaried generosity,” the ability to be involved in the client's life without becoming too personally enmeshed in it. The eristic elenchos emphasizes the “boundaried” part and might even be considered to involve a sort of “boundaried meanness” since Euthydemus and Dionysodorus sometimes seem downright hostile (for example *Euthydemus* 295c4–7) and abusive (for example 302b8–c3). Because Socrates' questions seem so pointedly directed to making Critias' proposals fail, he objects that Socrates has drawn too rigid a boundary and that he isn't proceeding generously enough with the conversation. Socrates immediately corrects the misperception and emphasizes the fact that he is personally invested in the conversation (*Charmides* 166d2–6): he is not maintaining a sort of academic objectivity, the way an anthropologist might while studying the beliefs of an alien culture (nor is he laughing up his sleeve at the whole world, *Symposium* 216e2–5). Socrates is personally invested in the discussion and is an active participant in the search for the truth.²¹

It is easy to overlook Socrates' personal investment in an elenchos because it is often revealed in subtle ways. For example, at *Charmides* 159c1 Socrates asks, “Isn't temperance among the fine things?” and not, “I personally believe that temperance is a fine thing; do you agree with me?” However, when he reminds Charmides who placed temperance among the fine things Socrates adds the word “*hēmin*” (ἡμῖν, 160d1), that is, “by us.” This explicitly breaks down the boundary between Socrates and Charmides and might, in another context, be considered a violation of professional ethics. If we thought of Socrates as a sort of philosophical anthropologist studying Charmides' ethical belief system, then we might say that he crossed a line here because he actually affirmed the truth of this particular belief instead of remaining neutral or impartial on the truth value of the beliefs of his subject. In other words, Socrates is not simply teasing out Charmides' beliefs, allowing the agenda to be set by the structure of Charmides' belief system; rather, Socrates is setting the agenda as that of seeking the truth. His emphasis on sincerity is not a matter of neutrality or impartiality, it is a sign of respect that he thinks his interlocutors are epistemically up to the task of getting to the truth of the matter.

Socrates' personal investment in his elenchi sets his use of the elenchos apart from the eristic use of the elenchos. Socrates has great difficulty getting Euthydemus and Dionysodorus to take the conversation seriously (for example, compare

Euthydemus 275a5–b6 with 278b2–c5). He finally appears to succeed (294b1–4), but clearly they are only saying that they sincerely believe a specific claim to be true so that they avoid falling into one of their own traps. The eristics are like unscrupulous lawyers who will seize on any word the interlocutor spits out in order to win their case: they show no interest in the truth or in the well-being of their interlocutor; Socrates cares about both.²²

Sincerity is not a sufficient condition for including a claim in a Socratic elenchos, and it is also not a necessary condition. When Socrates refutes Nicias' claim that courage is the knowledge of what is to be feared and what is to be dared, Socrates admits into his elenchos the claim that lions can be courageous (*Laches* 196e6). He is not joking around when he admits this claim into the elenchos (*ou paizōn*, οὐ παίζων, e2–3), but Nicias outright denies it (197a6–8),²³ and Socrates never claims to believe it.²⁴ Why, then, does he deliberately bring this up?

Notice that when Socrates asks his questions – as opposed to when Euthydemus or Dionysodorus ask their questions – typically he is asking whether or not a particular claim is in fact *true* (see *alēthēs*, ἀληθής, at *Charmides* 160a3, 161c6, 164a1, 166a3, 168c8, 171a2, 174d2; *Laches* 190b2, 191c6, 192d9, 193b4, 193e5, 194d3). Notice furthermore that the falsity of a sincerely held assertion is sufficient grounds for rejecting it from the elenchos (*Laches* 195c5). It seems to me, then, that Socrates brings the claim about lions into the elenchos not because the interlocutor sincerely believes that it is true (he does not), but because (a) it poses a serious challenge to Nicias' claim if it is true, and (b) it appears to be not only true, but probative (as Laches enthusiastically emphasizes). Socrates introduces this claim not because it shows Nicias' belief system to be incoherent – it isn't even a component of Nicias' belief system – but because Nicias owes an explanation of his view to everybody who thinks that lions are courageous. Nicias' view is not *internally* inconsistent; his view is inconsistent *with the facts* – if what “everybody agrees” to be a fact is in truth a fact. If Socrates is a detective on the trail of the truth, it is intelligent of him to raise this issue.

I am arguing that in addition to the sincerity requirement, Socrates also sometimes requires that claims admitted into an elenchos must be true and probative or at least appear true and probative. We might think that this is redundant: to ask if someone sincerely believes a claim just is to ask them whether they sincerely believe that it is true, is it not? No, it is not; people often distinguish between what is “*just my opinion*” and what is actually true. In the case of Socrates' elenchi, there are two reasons why it is not redundant to insist on both a sincerely held belief and also a true belief. First, Socratic refutations typically take place in a group, and other members of the group are allowed to chime in if they think that a particular claim is not true (for example, *Laches* 195c5). Sincerely held beliefs are one thing; beliefs affirmed as true in front of intelligent listeners who might contradict you or ask you to back up what you say are another. So when Socrates asks his interlocutors to affirm what they sincerely believe to be true, he's asking them to go out on a limb in front of others. This can narrow the range of sincerely held claims that an interlocutor is willing to express.

Finally, as I pointed out earlier, Socrates' discussion about courage involves Laches the general, not Cleonymus the shield-tosser, and his discussion about temperance involves Charmides, not Alcibiades. When it comes to courage, Laches' *bona fides* are well established, so when he sincerely and publicly affirms that a particular claim about courage is in fact true, we have some reason to take him seriously as saying something that *is* in fact true. Cleonymus, however, hasn't a leg to stand on. What he sincerely believes about courage doesn't immediately command much credulity. Similarly, Socrates' discussion of temperance involves not Alcibiades, but a young schoolboy with a great reputation for actually being temperate. Alcibiades may have sincerely held beliefs about temperance, but how many of them are true? How many of them are even credible, given what we know about him as a person, especially as he is represented in Plato's dialogues? A philosophical discussion of temperance with a wastrel may be morally uplifting to the wastrel, but if the "refutations" rely only upon the sincerely held beliefs of the interlocutor, then probably few if any will actually prove their alleged refutands to be false. Like a good detective, Socrates is making a good-faith effort to ask the right questions of the right people in order to discover the truth.

I am not arguing that Laches and Charmides are experts on courage and temperance respectively – if Socrates' refutations prove anything it is that they are not experts on those respective virtues. All I am arguing is that they are not delusional or stupid; their contact with reality is quite secure, and if any non-experts are in perceptual touch with reality insofar as there exists a real universal that is identical to courage, or a real universal that is identical to temperance, then Laches and Charmides are among them.

So in the *Charmides* and *Laches* (although not necessarily in other dialogues, for example *Alcibiades I*), there are three additional conditions on premise acceptability: the claim must be (1) to the point and not based on a misunderstanding of the question being asked, (2) at least apparently true or probative, and (3) sincerely affirmed by someone with a claim to our credulity on the matter. Again, the one asking the questions is the one setting the agenda, and Socrates' agenda is to discover the truth. He makes a good-faith effort to ask the right questions of the right people so that when they sincerely agree with Socrates on something, the agreement carries epistemic weight. Refutations like these do not count as the final word on the refutand – short of the beatific vision of the divine essence there probably cannot be such a thing as "the final word" on the sorts of claims Socrates refutes – but they are rationally credible and conclusive. Socrates is making a good-faith effort to be "constructive" in his refutations.

Though reasonable, Socrates' elenchos is clearly not infallible. No matter how carefully the people involved examine the premises of the elenchos, some "counterfeit" claims might still slip through. On top of that, it is always possible that an interlocutor will insist on slipping what Socrates knows full well to be a "slug" into the elenchos. However, these problems have bearing on what I call Problem B: what guarantee does Socrates have that he isn't being misled by the reasonable choices he and his interlocutors make in his refutations? I consider this problem in the next section.

The Socratic elenchos is truly remarkable. Using very humble means – clear sign reasoning that is widely accessible to and used by a great many non-philosophers – he gives simple, clear, and powerful arguments that show to his interlocutor’s reasonable satisfaction that he has a misconception of the virtue in question. In short, Socratic argumentation is elegant. Unfortunately today it takes a bit of weeding away misconceptions, confusion, and fallacies to see the power of Socrates’ unassuming elenchi.

Section 4: What guarantee does Socrates have that he is right?

Before I answer this question, I pause to point out what might seem to be an odd implication of my distinction between Problems A and B. Recall that Problem A is the problem of showing that it is reasonable for Socrates and his interlocutor to reject (i) (the refutant) as false when confronted with (iia) and (iii). Problem B is the problem of providing some reasonable fail-safe against being misled in rejecting (i) as false when confronted with (iia) and (iii), since in fact the reasonable belief is not necessarily true. We might give an encouraging answer to Problem A while simultaneously giving a discouraging answer to Problem B. In fact, in chapter 1 we saw Aristophanes comically play up this possibility: Socrates’ *Phrontistērion* is where wise men say that the sky is grease and we are all zits on the face of the earth and where, for a fee, they teach you how to win any case whether right or wrong (*Clouds* lines 94–9). These self-proclaimed wise men present all kinds of reasons for their beliefs, but the trouble is that they follow their reasons even when they lead to ridiculous conclusions. “Reasoning is all well and good,” one might say, “but we need to know when a line of reasoning has become silly.” King Nomos might seem to be the proper corrective to an excessive reliance upon reason.

Separating the conclusiveness of reasoning from its finality may sound perverse, since the OED’s second definition of “conclusive” is “final, definitive.” However, the OED’s third definition of “conclusive” is “Of an argument, statement, etc.: That closes or decides the question; decisive, convincing.” A bit of reasoning can be decisive and convincing, and hence conclusive, without being the final word on the matter. This possibility is particularly salient for a man who claims that “in truth he is worth nothing with respect to wisdom” (*Apology* 23b2–4). However convincing or decisive his reasoning seems to be, his putative wisdom is mere human wisdom, not divine wisdom. Divine pronouncements are final since it wouldn’t be right (or permitted) for the god to lie (*Apology* 21b6–7). But human pronouncements, no matter how reasonable, may call for re-consideration.²⁵

The conclusiveness of Socrates’ reasons licenses strong epistemic language while the lack of finality in his judgments recommends restraint in his epistemic language. No doubt those of us with a low tolerance for terminological untidiness would like to establish two disjoint sets of epistemic terms, one for the confidence that comes with conclusive reasons, the other for the open-mindedness that comes with Socrates’ pious humility.²⁶ It is no surprise to me that someone who refused

to settle the issue of whether it was an “*eidos*,” an “*idea*,” or a “*paradeigma*” that he sought when looking for an answer to his “What is it?” question (see *Euthyphro* 6d9–e6) couldn’t be bothered with such a trivial exercise.

So my distinction between Problems A and B opens up what might be for some an uncomfortable result; for example, it could justify Socrates in saying something like, “I know that P is false because I conclusively refuted it, but P might be true nonetheless because my conclusive refutation isn’t the final word on the matter.” But this is a discomfort Socrates is clearly willing to endure.

I conclude this section, and this chapter, by pointing out that Socrates has four ways to ensure that he and his interlocutors are not being misled by following where the logos leads. Let’s begin by looking at the appeals process Socrates allows. Consider the one refutation in which (i) is not rejected, that is *Laches* 196d1–197c1.

- (i) Courage is the knowledge of what is and what is not to be feared.
- (iia) Lions do not have that knowledge.
- So (iib) Lions are not courageous.
- But (iii) Lions are courageous.

Having had his several proposals all shot down by Socrates, Laches’ *schadenfreude* bubbles over as he congratulates Socrates on a brilliant refutation of Nicias’ proposal. Nicias, however, maintains (i) and instead rejects (iii). Possibly with some jealousy that he never thought of being so bold as to reject (iii), Laches cries foul and accuses Nicias of shameless wordplay (197c3). Socrates refuses to call a foul on Nicias; instead he is perfectly willing to accept Nicias’ rejection of (iii).

But Laches is wrong: Nicias does not reject (iii) simply because it places (i) in jeopardy. His move is not “*ad hoc*” to use Hempel’s language. Nicias presents a reasonable explanation for why (iii) would seem to be the case, but in fact this appearance is delusory. He distinguishes “courage with forethought,”²⁷ on the one hand, from “audacity, daring and fearlessness with thoughtlessness”²⁸ on the other hand. The latter are possessed by many men, women, children, and animals, but genuine courage is the possession of relatively few. No doubt the multiplication of terms makes Laches suspicious that empty wordplay is involved. Distinctions without differences are the stock in trade of fools and sophists; hopefully true philosophy has none of it. Nicias doesn’t make it clear whether he intends to be distinguishing two or four things, but surely there is something not only reasonable but important in his distinction.

To simplify, let’s assume that he intends to distinguish only two things: (1) genuine courage from (2) a state that often appears like courage but is not and that is legitimately described as either audacity, daring, or fearlessness. The key marker of the distinction is that genuine courage involves forethought, while the latter state involves the absence of thoughtfulness. It is not hard to see that such a distinction is real and one that is vital for generals like Nicias and Laches to grasp. Battle-hardened, experienced soldiers who know how to follow orders, how to attack boldly, and how to retreat strategically and who can size up

a situation accurately in the thick of battle when forces are scattered and orders may not be accurately received are the gold standard of warriors. Shock troops of daring recruits who are eager for battle but don't have a lick of sense can be useful on occasion but need to be treated with care. When the fourth-century general Aeneas Tacticus wrote his treatise *On the Defense of Fortified Positions*, he repeatedly emphasized the importance of selecting men with experience who are sensible, thoughtful, or prudent for positions of authority.²⁹ Senseless, thoughtless, or imprudent soldiers have their use – although they must be watched quite closely (26.1–14). The distinction Nicias draws is not an empty verbal distinction, it is something upon which the freedom and indeed the very life of the city may depend.

Nicias' reasonable distinction provides some check on the Socratic elenchos. A well-designed test of a proposition may succeed at first glance, but then on further inspection someone might point out a problem with the test that initially escaped notice. Of course Laches is quite right to be suspicious of Nicias' second-guessing here: unscrupulous people can be expected to fear embarrassment more than factual error (the exact opposite of how Critias behaves at *Charmides* 164c7–d3) and so second-guess refutations simply in order to save face. To adapt the language of epistemic contextualism, such moves show that one's utterances are tracking not the truth, but the audience's expected reactions. To avoid refutation in such ways will be a testament not to the truth of one's assertions, but only to one's unscrupulous avoidance of embarrassment.

Actually, what we have here is a complementary *pair* of checks on the reliability of clear sign reasoning. First, Socrates designs his refutations so that as far as possible they rely on direct perceptual verification of important claims. If Socrates' interlocutors in the *Laches* and *Charmides* are in reliable perceptual contact with reality insofar as there are real universals identical to courage and temperance, then direct perceptual verification can be an effective route to the truth. Second, because perception can be misled by appearances, Socrates allows a sort of appeals process against his refutations, as long as the appeal is not *ad hoc*.

Here we might draw a lesson from the end of the *Cratylus*. At 436a9–b3, Socrates worries about the way they've been carrying on their inquiry, searching for reality by studying the names of things. He worries that the names of things might be deceiving them and concludes that each person must look very carefully to see whether or not the first principles are laid down correctly (436d4–7). If the original name-givers were wildly off when they gave names to things, then our study of things by studying their names may never yield worthwhile results, but if they were at least close, then careful study might allow some progress. A similar point will greatly affect our view of Socrates' method in the *Charmides* and *Laches*. Here the relevant "first principles" of the inquiry are not alleged lexical dubbing ceremonies in the past, but current perceptions of real universals. If there are real ethical universals, and if human beings of ordinary intelligence are not wildly off in their ability to perceive them, then it is reasonable to think that the features of the Socratic method identified so far give us at least a chance to make progress in the direction of moral knowledge.

There are two more related features that provide additional help, and once we see what they are we will see that in fact Socrates has made significant positive progress. Consider the final refutations in both the *Charmides* and *Laches*. For convenience, here they are together.

Charmides, the sixth refutation (174d3–175a8):

- (i) Temperance is the knowledge of good and bad.
- (iia) Temperance is beneficial.
- So (iib) Knowledge of good and bad is beneficial.
- But (iii) Knowledge of good and bad is not beneficial.

Laches, the sixth refutation (198a1–199e12):

- (i) Courage is the knowledge of good and bad.
- (iia) That knowledge is the whole of virtue.
- So (iib) Courage is the whole of virtue.
- But (iii) Courage is not the whole of virtue.

By this point in each dialogue we are probably justified in saying that (i) is more than just a guess off the top of the head of the one who proposes it. Critias in the *Charmides* and Nicias in the *Laches* are clearly the brighter of Socrates' two main interlocutors, and by the ends of the dialogues they've had time to consider their views carefully in contrast not only with the previous answers to Socrates' "What is it?" question, but also with all the related information put in for (iia) and (iii). At the very least we can call (i) an "educated guess" in both instances. If there are refutations in the *Charmides* and *Laches* where it is truly indeterminate which claim is to be rejected, these are they.

In both refutations, (iia) is secured by strong reasons. The claim that temperance is beneficial has all the support of Greek common sense and all the evidence that the virtues generally are beneficial for their possessors (for example, every courageous soldier who survived a tough battle has sufficient evidence that his courage benefitted him). By contrast, (iia) in the *Laches* is a novelty, and yet it is hard to reject if (i) is accepted. If knowing what is good and bad explains courage on the battlefield, then it would be hard to deny that knowing what is good and bad explains temperance in the barroom, justice in the law courts, piety in the temple, and wisdom in the council chambers.

This leaves (iii). In both cases, (iii) seems obviously true. At first, the knowledge of good and bad sounds as if it would be tremendously beneficial, but if you ask which specific benefit it provides, it suddenly sounds completely useless. Shoes are provided by cobblery, houses are provided by building, food is provided by farming, and so on. Every single benefit in human life seems already to have its craft, so nothing would seem to be left over for the knowledge of good and bad to provide us. (iii) is even more obvious in the *Laches*: courage, temperance, piety, justice, and wisdom are five virtues, courage is only one of them, so it would seem to be only part of, not the whole of, virtue.

And yet we have learned from Nicias' example that what seems obvious to common sense might be deceiving us. It is this willingness to take a critical view of what seems obvious to common sense that opens the door to the Socratic method and makes Socrates the target of Aristophanic ridicule. Is common sense misleading us in these instances? It is a commonplace to say that the various crafts provide us with their various benefits, but do they really? To be more precise, each craft provides us with its own distinctive result; whether these results benefit us or not is actually a separate matter. A dramatic case is that of life-saving medicine. It would be hard to deny that life-saving medicine is one of the greatest benefits of human life, and yet for one who is better off dead, life-saving medicine is actually no benefit, but rather a detriment (*Laches* 195c7–d2). It doesn't take much thought to realize that common sense is deceived here: your shield does you no good if you toss it away. It is one thing to possess a beneficial item; it is quite another to derive the benefit from it (*Euthydemus* 280b7–282a7). Even if temperance is the knowledge of good and bad, it is still possible for temperance to be beneficial if it provides us with the knowledge of how to derive the benefits from the results of the various crafts. It is not *ad hoc* to reject (iii) in the final refutation of the *Charmides* because there is substantial independent reason for thinking that the commonsense view that crafts produce benefits is misleading. We typically take for granted that people know perfectly well how to derive benefits from common products, and this leads us mistakenly to think that the products themselves, and not our knowledgeable use of them, is what produces the benefits to us.

At first it might seem more difficult to challenge (iii) at the end of the *Laches*, for courage truly is one of five traditional Greek virtues. And yet here too, if we reflect just a bit, there is a way in which this obvious fact might be leading us to draw a fallacious inference. We might rashly assume that "one of five" necessarily puts us in a "parts of the face" situation, where the parts are distinct and separable. It is possible to have lips without hair, eyes without ears, or a chin without a nose. By contrast, "one of five" might be asked in a "parts of a lump of gold" context in which all parts are homogeneous with one another and hence not distinct (*Protagoras* 349a8–c5). What it is to be gold in this corner of a lump of gold is fundamentally the same as what it is to be gold in that corner of the lump. What it is to act on your knowledge of good and bad when you happen to be on the battlefield is fundamentally the same as what it is to act on your knowledge of good and bad when you happen to be in the barroom. People may call you "courageous" in the first circumstance and "temperate" in the second, but that is because they are paying too much attention to your overt behavior and failing to focus on what is fundamentally the same in both cases.

So it is not only possible, but positively reasonable, for Socrates and his companions to reject (iii) in the final refutations of the *Charmides* and *Laches*. What is all the more striking about this is the fact that distinct interlocutors on distinct occasions discussing distinct virtues eventually came up with exactly the same real universal to answer the "What is it?" question. Although it is not necessary, a good theory unifies data and laws of different domains (Kitcher 1993, chapter 7, especially 255–63). This is the sort of virtue in a scientific theory that William

Whewell famously referred to as “consilience” and Mill called the “consilience of inductions” (compare Snyder 1997b, 1999). There is something impressive when two independent investigations lead to the same conclusion. A related but far simpler phenomenon is when one’s answers to two separate strands of a crossword puzzle provide perfectly harmonious clues to the central missing word. Either the consilience is just one big accident, or else one has gotten the correct answer. When multiple but independent scientific investigations lead to the same hypothesis, then assuming there has been no collusion, either the result is one improbable accident, or the researchers have been led to the same hypothesis because that hypothesis is at least approximately correct (see Boyd 1984; Boyd 1990; Worrall 1994; Snyder 2005).

My students often react badly to this consilience: they allege illegitimate connivance on the part of Socrates. They accuse Socrates of manipulating or even coercing his interlocutors into reaching the same hypothesis at the end of the *Charmides* and the end of the *Laches*. Of course, when I press them to find any specific passage where Socrates employs any unfair tactic, they come up empty. No doubt Plato planned his dialogues well, but one thing he clearly seems to want his readers to see is this consilience. Independent reflection on courage and temperance reveals that knowing the difference between good and bad really is at the heart of both virtues. “Pick your battles” is a modern truism, but it is a reflection of a widely held conviction that courage is neither pugnacity nor a willingness to risk or endure pain or harm: courage involves the intelligent choice of battles. “Know your limit” is another modern truism, but it too is a reflection of a widely held conviction that temperance is not a simple matter of abstinence: temperance involves logistical self-management so that we don’t deny ourselves legitimate enjoyment, but we also don’t get out of control and ruin our lives with overindulgence and its potentially damaging results. Once you look past superficial appearances, for example of hoplites standing fast in battle, or young men calmly keeping their heads while those about them are losing theirs, virtuously guiding our lives crucially seems to involve intelligent thought about what is good and what is bad.

This “consilience of inductions” is closely related to another feature of Socrates’ method, one that provides a check on Socrates’ willingness to follow where his reasonable method leads: the theory that virtue is the knowledge of good and bad is *maximally simple*. By “simple” here I am not referring to a metaphysical principle of parsimony or assuming that the basic laws of nature aren’t very complicated. Instead the simplicity I have in mind occurs when one among competing theories requires fewer *ad hoc* modifications to avoid being refuted by the data (Hempel 1966, 28–30). For example, when compared with the “horror vacui” theory, Torricelli’s “sea of air” theory is the simpler of the two. Both account equally well for all familiar, relevant data (for example the action of suction pumps), but Torricelli’s intelligently designed experiment created a situation where the former needs the addition of some principle such as “nature abhors a vacuum less at the tops of mountains than at the bottoms.” Such modifications answer the “How do you explain *that*?” question, but they do so in an objectionably *ad hoc* manner, that is (1) they are put forward for the sole purpose of saving a hypothesis from

disconfirmation, (2) they have no direct supporting evidence, and (3) they lack additional test implications. Or, as Laches so quaintly puts it, anyone offering an *ad hoc* modification “dresses himself with words” (*Laches* 197c3).

Compare the “virtue is the knowledge of good and bad” theory (henceforth KGB) with Charmides’ hypothesis that temperance is calmness. On Charmides’ theory we need many *ad hoc* modifications: temperance is calmness except when at the writing master’s or when playing the lyre or wrestling or boxing (and so on). We need no such modifications on KGB: the fineness in student writing at the writing master’s is to be found among the quick, not the calm, because the former know good from bad writing and the latter haven’t learned it yet. On Laches’ hypothesis that courage is to stand fast in battle we need an *ad hoc* modification to explain why the Scythian cavalry fights bravely without standing fast (for example, courage is standing fast except when you are a member of the Scythian cavalry). We need no such modification on KGB: standing fast in battle is courageous for hoplites and not for members of the Scythian cavalry because the former know it is good to stand fast and bad to run, while the latter know that it is good to run and bad to stand and fight. The same is true for every other refutation in both the *Charmides* and *Laches*.

Charmides, the second refutation (160e2–161b2):

The hypothesis that temperance is modesty explains the fact that the temperate often behave with a reserved, respectful dignity and sense of propriety. But this doesn’t explain why needy people may still be temperate while shamelessly asking others – in public, no less – for help. As the theory that nature abhors a vacuum must be supplemented with an *ad hoc* modification like “except as one climbs higher,” the hypothesis that temperance is modesty either stands refuted or must be supplemented with the *ad hoc* modification of “except as one becomes needier.” KGB needs no such modification: a temperate but needy person knows what is good and what is bad and so asks for help when it is good to do so.

Charmides, the third refutation (161b3–162a9):

The hypothesis that temperance is doing one’s own business explains the fact that temperate people are not busybodies, but rather follow a kind of “live and let live” policy in their general demeanor. But this doesn’t explain why temperate people frequently do involve themselves in the affairs of others, for example providing others with goods or services. The hypothesis stands refuted or must be supplemented with an *ad hoc* modification like “except when it comes to business, or military service, or jury duty,” and so on. KGB needs no such modification: a temperate person knows what is good and what is bad and so will be involved in other people’s affairs when it is good to be so involved, for example when serving on a jury, and hence inquiring into matters that would otherwise be considered private.

Charmides, the fourth refutation (163e1–164d3):

The hypothesis that temperance is doing good things explains the fact that temperate people don't commit adultery or become shamefully drunk. But this does not explain why the temperate, perhaps above all others, seem to obey the Delphic inscription to "know thyself." The penalties for shameful drunkenness and adultery can be so severe that people avoid them simply to avoid the penalties and not out of a Delphic self-knowledge. The hypothesis stands refuted or must be supplemented with an *ad hoc* modification like "as a result of Delphic self-knowledge." But this modification obviates the very definition itself. KGB needs no such modification: unlike unwitting fools who may unknowingly do good, a temperate person knows what is good and what is bad, so when they do what is good, they know full well what they are doing, and that they are doing good, and so satisfy the Delphic command to "know thyself."

Charmides, the fifth refutation (164d3–174d2):

The hypothesis that temperance is simply satisfying the Delphic command to "know thyself" explains the moderation, caution, compassion, and discretion characteristic of temperate people. But this does not explain why the temperance of the temperate benefits them, since it would seem that benefits are provided by the various productive crafts. The hypothesis stands refuted or must be supplemented with an *ad hoc* modification like "and Delphic self-knowledge is always somehow conjoined with some self-beneficial attribute." KGB needs no such modification: since temperance is the knowledge of good and bad, temperate people know how to derive the benefits from the results of the various crafts, and because they act knowledgeably they succeed in benefitting themselves.

Charmides, the sixth refutation (174d3–175a8):

KGB explains why temperance is beneficial if it is reasonable to distinguish between (i) the results of crafts and (ii) the benefits that can be derived from the results of crafts. But we have independent (and hence not *ad hoc*) reason to draw that distinction. Hence KGB easily explains the beneficial character of temperance without relying on any *ad hoc* modifications.

Laches, the second refutation (192b5–d9):

The hypothesis that courage is endurance explains the hardiness of warriors who continue fighting despite the great risks and even injuries they incur. But this does not explain why enduring risk and pain is often not fine, or perhaps even shameful. The hypothesis stands refuted or must be supplemented with an *ad hoc* modification like "except when fighting a losing battle, or when taking too many casualties to justify the small military gain," and so on. KGB needs no such modification: courageous

people know when endurance is good and when it is bad, and because they endure only when endurance is good, their endurance is always fine because of the independently verifiable (and hence not *ad hoc*) connection between goodness and fineness.

Laches, the third refutation (192d10–193b4):

The hypothesis that courage is intelligent endurance explains why courageous soldiers are different from reckless fools who stupidly endure risks they shouldn't. But this does not explain why intelligent endurance in investment, for example, is not courageous. The hypothesis stands refuted or must be supplemented with an *ad hoc* modification like "except in cases substantially different from courageous endurance in battle." KGB needs no such modification: courageous people do what they do for as long as doing so is good, not necessarily profitable, and so persistence as such is not a marker of courage, even if the persistence involves a great deal of research and thought. Although a parallel objection may be raised against KGB (for example we normally do not say that temperate behavior is courageous, but that will be so on KGB), this objection is dealt with if KGB survives the final refutation in the *Laches*.

Laches, the fourth refutation (193b5–d10):

The hypothesis that courage is foolish endurance explains the fact that courageous people often engage in risky behavior that can result in pain, injury, and death. In this way courageous people appear like the proverbial fools who rush in where angels fear to tread. But this does not explain why such fools are not behaving in a fine manner. The hypothesis stands refuted or must be supplemented with an *ad hoc* modification like "except where the casualties are excessive in comparison with the small military gains." KGB needs no such modification: the risky behavior of courageous people is only superficially similar to that of the fools who rush in where angels fear to tread; unlike those fools, courageous people take risks only when they know it is good to take those risks, and the independently verifiable connection between goodness and fineness explains why people who do what is good behave finely.

Laches, the fifth refutation (196d1–197c1):

The hypothesis that courage is the knowledge of what is and what is not to be feared explains why courageous soldiers make intelligent decisions about when to fight (that is because the situation is not truly to be feared) and when to make a strategic retreat (that is because the situation is truly to be feared). But this fails to explain why lions are courageous, since they lack that knowledge. The hypothesis stands refuted or must be supplemented with an *ad hoc* modification like "except for the courage of animals." KGB explains this easily: lions are "courageous" only in the sense that they are fierce, ferocious, or fearless; only those who

know when it is good or bad to fight are truly courageous when they fight or retreat. This is not *ad hoc* because it has independent supporting evidence.

Laches, the sixth refutation (198a1–199e12):

KGB explains why courage is both a part of virtue and the whole of virtue if it is reasonable to distinguish between (i) the overt actions of virtuous people and (ii) the covert state of soul that produces the overt actions of virtuous people. But we have independent (hence not *ad hoc*) reason to draw that distinction. Hence courage is part of virtue in that a distinctive set of overt actions are commonly associated with it, and courage is the whole of virtue because the state of soul that produces courageous overt actions also produces the overt actions distinctive of each of the other virtues. Hence KGB easily explains why courage is both a part of virtue and the whole of virtue without relying on any *ad hoc* modifications.

Able defended, KGB would survive all of Socrates' refutations in both dialogues, and not because of a mountain of *ad hoc* modifications designed specifically to allow it to survive. The theory that can explain all that it ought to explain without relying on *ad hoc* modifications has the ring of truth.

In sum, Socrates' primary method is a form of clear sign reasoning whose employment is widespread both culturally and historically and whose reasonableness is primitive, or at least more primitive than any defensible epistemology. In addition, he has the following four ways to help ensure that he and his interlocutors are not misled when they follow where such reasoning leads.

First, Socrates almost constantly requires sincere perceptual verification of their agreements. Such a requirement will seem especially effective to someone in Socrates' culture whose "folk epistemology" valorizes the one who knows "to perceive at once ahead and behind" (to use the Homeric phrase). Direct experiential familiarity with reality is epistemically indispensable.

Second, Socrates' practice mirrors judicial practice in that it allows for review of conclusive judgments, provided that reviews are not *ad hoc*. Even a reasonable procedure operating fairly can reach an errant judgment; a fair and reasonable appellate procedure can stop us from following a line of reasoning we would be better off abandoning.

Third, Socrates' focused questioning is well suited to exposing consilience: if independent reasonable and fair investigations on separate but related topics surprisingly converge on one and the same view, the consilience itself provides extra reason to think that the investigators are not being misled by following where such reasoning leads. Such consilience makes it additionally reasonable to suppose that the investigators have reached what they have reached because it is true and not because of truth-distorting forces like embarrassment at saying something surprisingly at odds with common sense or a reluctance to state honestly what seems to be the case despite contradicting one's own earlier admissions.

Finally, because his practice focuses on theory-testing rather than theory-development or the exploration of reasons that could be given for and against various theories, Socrates' method is well suited to exposing a wide variety of phenomena that must be explained by any reasonable theory. If there is a clear winner with respect to explanatory adequacy, this will be additional reason to think that it is adequate because it is true and not because the investigators were parochial, and hence possibly biased, in their investigation. Given that Socrates is under no illusion that he can achieve divine wisdom by proceeding in this fashion, it seems to me that we would be hard pressed to find a better approach.

But of course this leaves us with an embarrassing problem. If my aforementioned arguments are correct, then in the *Laches* and *Charmides*, we are led to the conclusion that temperance and courage, indeed all of virtue, is the knowledge of good and bad. Perhaps the most obvious and major problems with this theory are that (1) it is vague and (2) it defines the obscure (temperance and courage) by the more obscure (good and bad). It is no accident, in my view, that Socrates proposes (seriously or not) an analysis of the distinction between good and bad in the *Protagoras* (at 351b7–c1). Surely Socrates cannot be satisfied with KGB as it stands, and yet it clearly is a great improvement over every other theory considered in both the *Charmides* and *Laches*. There is substantial reason to think that it is true, and yet it clearly needs more work. If the concept of “approximate truth” is legitimate, and it is not hopelessly anachronistic to attribute some such concept to Socrates,³⁰ at least implicitly, then in this sense we can reasonably conclude that the Socratic method proved virtue to be approximately the knowledge of good and bad (on “approximate truth” see, for example, Boyd 1990; Weston 1992; and Smith 1998).

The third obvious and major problem with the view that virtue is the knowledge of good and bad is that it defines virtue in purely cognitive, not conative, terms. The assumption seems to be that whoever knows what is good and bad will choose the former and reject the latter, but this seems to conflict with many observations of human behavior. It is no accident, in my view, that Socrates broaches this issue in the *Hippias Minor* (see Adams 2010, 50–8). But an obvious and major problem is not a refutation, nor is it evidence against attributing a view to Socrates unless we assume that Socrates couldn't possibly accept a view with obvious and major problems. Surely Socrates' willingness to embrace such controversial views as that a better man cannot be harmed by a worse man (*Apology* 30c9–d1) or that nothing bad can happen to a good man (*Apology* 40d1) militates against any such assumption. More importantly, the appearance that people can know what is good but do what is bad raises intriguing puzzles not only about virtue, but about human behavior more generally. A mystagogue will find such puzzles worth discussing.

Modern standards of philosophical prose prohibit concluding a treatise without explicitly considering and refuting all obvious and major problems with one's theory. We will be dissatisfied with the theory to which Socrates leads in the *Charmides* and *Laches* if we insist on applying these standards. But if, instead, we apply the standards appropriate to a mystagogue, then we would be surprised if

Socrates led us to a theory that obviously wraps everything up with a nice, tidy bow. Closure is precisely what a mystagogue does not want. Closure takes issues out of our hands and hangs a huge stop sign on them. A mystagogue wants exactly the opposite: a mystagogue wants the initiate to be passionately dissatisfied and positively champing at the bit to go on. The problems I just mentioned are not only clearly important, but their importance is readily clear even to those like Charmides and Laches who are new to philosophical investigation. As the ends of both dialogues indicate, Socrates has done his job well, not only in making constructive progress in discovering what temperance and courage are, but also in provoking in his interlocutors a desire to pursue the philosophical issues further.

Conclusion

Socrates' use of his distinctive method makes (1) constructive negative progress (it convincingly and conclusively refutes numerous reasonable answers to his "What is it?" question), (2) constructive positive progress (it leads to a problematic but reasonable answer to the question), and (3) constructive mystagogic progress in making his interlocutors eager to enter wisdom's sacred precinct. We have sufficient reason to accept a constructivist interpretation of Socrates' mystagogic philosophizing.

In addition, the account of Socrates' method that I have provided in chapters 2 and 3 suggests that Socrates has a robust and reasonable reply to Aristophanes' fears. The skepticism that loosens the grip of *nomos* on a short-sighted, selfish, venal, and stupid populace can have an altogether salutary, mystagogic effect. How can any decent Athenian object to encouraging people to focus on and fervently search out god's own truth about virtue and how to live finely and well?

My account also dispels an apparent tension within Socrates' attitude toward his self-avowed ignorance.³¹ On the one hand, he seems to share the attitude expressed by a close relative that if you are ignorant of the fine (*to kalon agnoōn*, τὸ καλὸν ἀγνοῶν, *Hippias Major* 304e2) then you are better off dead. But on the other hand, we have Socrates' claim that "the greatest good for a human being is just this, to spend each day discussing virtue and the other things you hear me talking about and on which I examine myself and others: the unexamined life is not worth living for a human being" (*Apology* 38a2–6).³² In this latter passage Socrates might seem to agree with Lessing:

If in his right hand God held all truth, and in his left only the perpetual and consuming drive for Truth, but with the addition that I would always and forever err in the pursuit, and if He said to me, "Choose!" With humility I would take the left hand, and say: Father, give me this. The Truth is for You alone.
(Lessing 1778 [1966], 771)

Socrates' close relative, however, would choose the right.

To put this tension in perspective, consider Aristotle's view that divine virtue is the contrary of bestial vice (*Nicomachean Ethics* 7.1.1145a17–33). His considered

judgment seems to be that a literally godly virtue is metaphysically unattainable for human beings: to choose godly virtue is to choose not to be, but to be replaced by a god (8.7.1159a3–10, 9.4.1166a17–23). So Aristotle would choose the left hand of Lessing's *Gott*, but he would do so because choosing the right hand would mean certain death. Notice that Aristotle says each of us chooses good things, "but being what one is."³³ I think it is no accident that Socrates adds a similar qualification, for he does not claim that the unexamined life is not worth living, he claims only that such a life is not worth living *for a human being*. Socrates too would choose the left hand of Lessing's *Gott* because that is the only one of the two for a human being.

There is, however, something misleading in this answer. If knowledge is necessary for virtue and Socrates disavows knowledge, then he disavows virtue, and yet we misunderstand this denial unless we see it as mystagogic: it is a denial that prompts reasonable people to redouble their efforts to know, not to give up and rest content with their current sorry epistemic condition. Lessing's choice between two hands misrepresents the situation Socrates faces because Socrates is choosing an intermediate third alternative. To see what this third option is, and to see why it is so obvious as to go without saying, consider the following distinction.

Dogmatic Virtue: "I believe that I'm doing what is right and good, I am justified in believing that I'm doing what is right and good, and it is true that I'm doing what is right and good. I know with complete certainty that I am doing what is right and good."

Elpistic Virtue: "I believe that I'm doing what is right and good, I am justified in believing that I'm doing what is right and good, and I sure do hope it's true that I'm doing what is right and good. Whatever wisdom I have is fallible, so there's always a chance that I'm wrong."

Elpistic virtue does not involve a leap of faith because it requires justification, but we might say that it involves a "leap of hope" (*elpis*, ἐλπίς). Between Lessing's "Truth" and the perpetually erring pursuit of the truth is the pursuit of truth that is hopeful of at least some success.

We have, for example, reason to believe that Socrates was courageous (*Laches* 181a7–b4, *Symposium* 220d5–221c1) and temperate (*Charmides* 155d3–e3, *Symposium* 223b1–d12), but he never asserts that he has either virtue. Of course on the other hand he never asserts that he is a coward or is intemperate. Perhaps like a responsible adult he does his best and hopes that he's got it right. I find confirmation of this elpistic attitude toward virtue at *Apology* 37a5–6: "I am persuaded that I wrong no one *willingly*" (emphasis added).³⁴ Socrates makes a good-faith effort not to harm anyone, so if he does end up harming someone, it was not voluntary on his part: he tries his best to do what is right and good, and he hopes that he has some success, although he acknowledges that he is fallible.

Consider also Socrates' argument that if Lysis' neighbor comes to believe that Lysis has a *better understanding* of how to manage a ranch than he himself has, he'll turn over the management of his ranch to Lysis (*Lysis* 209d2–3). Similarly,

the great king of Persia would trust us rather than his first-born son to prepare a meal if we demonstrate that we have a *better understanding* of food preparation than his son has (209d5–e3). And as with cooking so with healing: if we seemed to the great king to be *wiser* when it comes to healing than his own son, then he wouldn't allow the prince to touch his own eyes if there were something wrong with them, but he'd let us do anything we wanted with them – even if we wanted to force his eyes wide open and pour ashes in them (209e6–210a8).

In all these cases, the comparative claim isn't nearly enough for dogmatic virtue: even the smallest chance that you are wrong automatically means that you have no right to claim dogmatically that you are doing the right thing. The comparative claim is important only for an elpistic approach: if you choose the better of two options, then you can't really be blamed if things go wrong, as you didn't willingly fail.

It seems to me the attitude of elpistic virtue is so reasonable as to go without saying, and yet it is not empty. It raises the same issues that were discussed in medieval philosophy in regards to the questions, "Whether an erring conscience binds?" and "Whether an erring conscience excuses?" St. Thomas Aquinas answers "yes" to the first question and a qualified "no" to the second (*Summa Theologiae* IaIIae q.19 aa.5–6). He notices that this creates a problem: if your conscience (your reason) makes a serious mistake and tells you that you ought to do something that is in fact wrong, then you are obligated to do it (because erring reason binds) even though you will be guilty of doing something wrong (because erring reason does not excuse). You are "damned if you do and damned if you don't." The resulting moral advice is that if you don't want to be in a position where you do wrong no matter what you do, then don't have an erring conscience. The only escape from this dilemma has to do with the reason for your error. If your mistake is a truly innocent one, if you made a truly good-faith effort to discover the right course of action, then you are excused and not guilty for doing the wrong thing.

Erring reason excuses only if the mistake is truly an innocent one, and that is precisely what Socrates emphasizes in his interrogation of Meletus: he is making a good-faith effort to benefit and not corrupt the youth, so if he is in fact corrupting the youth, then it is the result of a perfectly innocent mistake and Meletus ought to instruct him rather than prosecute him. Socrates is morally innocent. The same basic point explains what Socrates says in the *Lysis*: if someone blinds your son because you let them dump ashes into his eyes, then erring reason does not excuse you unless your mistake in trusting that person to heal your son's vision was truly an innocent mistake. If you did your homework and checked the credentials of the person you trusted to heal your son and had every reason to think they were the best person to entrust your son's eyesight to, then you really cannot be blamed if they do the wrong thing. You acted responsibly, so you cannot be blamed for having a well-justified belief that unfortunately turned out to be false.

Socrates maintains his elpistic attitude toward virtue even when he is in prison awaiting execution. He doesn't claim to know what he ought to do, he claims only that now as always he will be persuaded by the reason that seems best upon consideration (*Crito* 46b4–6). Even at the end of the dialogue when he's presented a

pretty full argument in favor of staying in prison and not escaping, he is willing to listen to Crito if he has any more arguments to make (54d7).

So Socrates' disavowal of knowledge amounts to a disavowal of dogmatic virtue. However, setting delusions of godhood aside, the fact that even our best efforts to discern the right course of action can err does not entail that we should give up and rest content with slavish obedience to King Nomos. As limited human beings we have to make a genuinely good-faith effort to listen to others, gather and consider evidence and arguments, and make responsible decisions. Erring reason binds and does not excuse, unless we err in a totally innocent and excusable manner. So do your homework, think carefully about your options, by all means listen to others who seem to you to have some wisdom, and when you make a responsible choice, go forward with hope, for with hope we can face even death itself with some serenity.

Notes

- 1 αἰδῶς δ' οὐκ ἀγαθὴ κεχηρημένῳ ἀνδρὶ παρῆναι.
- 2 οὐκ ἄρα σωφροσύνη ἂν εἴη αἰδῶς, εἴπερ τὸ μὲν ἀγαθὸν τυγχάνει ὄν, αἰδῶς δὲ μὴ οὐδὲν μᾶλλον ἀγαθὸν ἢ καὶ κακόν.
- 3 Forster (2006a, 2006b) has recently defended this view by expanding the notion of self-contradiction. I don't think it would affect my account of Socrates' method in any substantive way if Forster is right.
- 4 οὐκ ἄρα ἡσύχιότης τις ἢ σωφροσύνη ἂν εἴη, οὐδ' ἡσύχιος ὁ σώφρων βίος, ἔκ γε τούτου τοῦ λόγου, ἐπειδὴ καλὸν αὐτὸν δεῖ εἶναι σώφρονα ὄντα. δυοῖν γάρ δὴ τὰ ἕτερα: ἢ οὐδαμοῦ ἡμῖν ἢ πάνν που ὀλιγαχοῦ αἱ ἡσύχιοι πράξεις ἐν τῷ βίῳ καλλίους ἐφάνησαν ἢ αἱ ταχεῖαι τε καὶ ἰσχυραί. εἰ δ' οὖν, ὦ φίλε, ὅτι μάλιστα μηδὲν ἐλάττους αἱ ἡσύχιοι τῶν σφοδρῶν τε καὶ ταχειῶν πράξεων τυγχάνουσιν καλλίους οὔσαι, οὐδὲ ταύτη σωφροσύνη ἂν εἴη μᾶλλον τι τὸ ἡσυχῇ πράττειν ἢ τὸ σφόδρα τε καὶ ταχέως, οὔτε ἐν βαδισμῷ οὔτε ἐν λέξει οὔτε ἄλλοθι οὐδαμοῦ, οὐδὲ ὁ ἡσύχιος βίος κόσμιος τοῦ μὴ ἡσυχίου σωφρονέστερος ἂν εἴη, ἐπειδὴ ἐν τῷ λόγῳ τῶν καλῶν τι ἡμῖν ἢ σωφροσύνη ὑπετέθη, καλὰ δὲ οὐχ ἦττον τὰ ταχέα τῶν ἡσυχίων ἐφάνηται.
- 5 The fact that a justification for a claim is allowed to "go without saying" does not entail that the claim enters an argument "simply" as something upon which the interlocutors are agreed, and it certainly does not entail that the claim is *ad hoc* (*contra* Santana 2009, 43).
- 6 See Santana (2009, 44–5).
- 7 Hence, I am largely in agreement with Bolton when he argues that Socrates relies on facts derived from experience (Bolton 1993, 147). But as I will argue in the following, Socrates never holds such facts to be beyond question.
- 8 *Contra* Santana (2009, 44–45), the success of his refutation does not require that Socrates have or give any particular epistemic reasons for the truth of the claims upon which the refutation relies; it requires only that his interlocutors *give or could give* such reasons if asked for them.
- 9 Ambury has recently argued that "Socrates is not really concerned with the truth or falsity of propositions at all" (Ambury 2011, 250). This is not an unreasonable position to take of *Alcibiades I*, the focus of Ambury's argument. Socrates must set his sights very low indeed with Alcibiades. And yet even here, I don't think Socrates is indifferent to the view that only a just war ought to be waged (*Alcibiades I* 109c9–11) or to the assumption that the just and the beneficial can easily be separated (113d5–6). His mystagogic aims for Alcibiades may be quite modest, but they are still there.

- 10 Santana appeals to the notion of “corroborative agreement” in Socratic argument (Santana 2009, 51). My objection is that Santana uses this notion to solve what I call Problem A, when really it is part of the solution to what I call Problem B.
- 11 See for example Vlastos (1994, 21–9). One worry I have for Vlastos’ account, and for those of some others (e.g. Carvalho 2002), is that its guiding principles would, if revealed, confuse or even alienate many of Socrates’ interlocutors.
- 12 McPherran gives reason to think that in his examination of the Delphic oracle regarding his wisdom, Socrates came to distinguish *knowing that* something is true and *understanding how* it is true (McPherran 2002, 134–5). I agree, and I think that we see further support for this view in the fact that Socrates designs his refutations not merely to prove that the refutand is false, but to provide some understanding of why the refutand is false.
- 13 This analogy helps support the significance of Santana’s argument in Santana (2007).
- 14 τῆδε τοίνυν . . . δοκεῖ μοι βελτίστη.
- 15 ἀλλὰ γὰρ οἶμαι ὃ ἄρτι οὐκ ἐφίσηθα ποιεῖν, τοῦτο ποιεῖς: ἐμὲ γὰρ ἐπιχειρεῖς ἐλέγχειν, ἑάσας περὶ οὗ ὁ λόγος ἐστίν.
- 16 οἶον, ἦν δ’ ἐγώ, ποιεῖς ἡγούμενος, εἰ ὅτι μάλιστα σὲ ἐλέγγω, ἄλλου τινὸς ἔνεκα ἐλέγχειν ἢ οὐπὲρ ἔνεκα κἂν ἑμαυτὸν διερευνώμην τί λέγω, φοβούμενος μὴ ποτε λάθω οἰόμενος μὲν τι εἰδέναι, εἰδὼς δὲ μὴ. Clearly, then, Socrates accepts the legitimacy of describing what he does as “refuting” people, contra Tarrant (2002, 72). However, this passage supports Tarrant’s view that the Socratic elenchos should not be understood as an adversarial method, but as friendly and intended for the benefit of the interlocutor.
- 17 One might draw a distinction between “ethical” and “moral” properties and argue that the former are but the latter are not directly perceptible, for example, a general can directly perceive the courageousness of an action, but not its moral rightness. Socrates needs no more than the perceptibility of “ethical” claims to defend his view.
- 18 Benson goes on to clarify this: the interlocutor must not simply believe a claim sincerely (since he may have what Vlastos referred to as marginal or covert beliefs, see Vlastos 1994, 23), and the interlocutor need not explicitly admit to sincerely believing the claim; however, the interlocutor must recognize that he sincerely believes the claim (Benson 2011, 190).
- 19 Socrates says they are skilled at eristic (272b10) and that they are able to refute (*exelenchein*, *ἐξελέγχειν*, 272a8) any claim.
- 20 ἀνδρείως, ὁπότῃρά σοι φαίνεται.
- 21 This is exactly the sort of attitude he encourages Laches to maintain when the discussion switches to an examination of Nicias’ proposal (*Laches* 197e6–8). See Griswold (2011, 343).
- 22 This is especially vivid in the *Euthydemus*, where Socrates makes it clear that he is concerned for Clinias’ well-being (275a5–b6) while the eristics seem interested only in adulation (for example, 276b6–c1). Socrates cares about Charmides (*Charmides* 175d5–176a5), Laches and Nicias (*Laches* 201a2–b5), Lysis and Menexenus (*Lysis* 223b4–8), the jury of his peers (*Apology* 29d2–3), and his fellow citizens quite generally (31b1–5, 36c3–d4).
- 23 Benson misses this exception (Benson 2011, 186). Benson may say that this claim is “subject to immediate counter-example” (187), but the fact that Nicias is free to deny it underscores rather than undermines that it was used as a premise.
- 24 So this is an exception to the usual rule that claims used in an elenchos must be believed by Socrates (Wolfsdorf 2003, 280–83).
- 25 At *Apology* 29b6–7 (and in a few other places) Socrates might appear to make pronouncements that are beyond re-consideration. In the next chapter I will argue that Socrates does allow for a re-consideration of these claims in the sense that he allows for re-interpretations of claims whose proper interpretation he is sure makes the claim true.

- 26 See Wolfsdorf (2008, 131–8) for the dim prospects of such a view.
- 27 ἀνδρείας μὲν καὶ προμηθείας, 197b2–3.
- 28 θρασυτήτος δὲ καὶ τόλμης καὶ τοῦ ἀφόβου μετὰ ἀπρομηθείας, 197b3–4.
- 29 See for example φρονιμωτάτους τε καὶ ἐμπείρους, 1.4; φρόνιμος, 1.7; φρονιμώτατον, 3.4; φρονίμους, 5.1; and so on.
- 30 In fact, this notion seems essential to the function of a mystagogue. Also, *Cratylus* 436a9–b3 seems to suggest that Plato employs the concept of an approximate truth.
- 31 Bett complains that this tension has not “been adequately recognized in most recent scholarship” (Bett 2011, 232), and he cites Nehamas (1999), chapter 3, as a notable exception.
- 32 τυγχάνει μέγιστον ἀγαθὸν ὃν ἀνθρώπῳ τοῦτο, ἐκάστης ἡμέρας περὶ ἀρετῆς τοὺς λόγους ποιεῖσθαι καὶ τῶν ἄλλων περὶ ὧν ὑμεῖς ἐμοῦ ἀκούετε διαλεγομένου καὶ ἑμαυτὸν καὶ ἄλλους ἐξετάζοντος, ὃ δὲ ἀνεξέταστος βίος οὐ βιωτὸς ἀνθρώπῳ.
- 33 ἀλλ’ ὧν ὅ τι ποτ’ ἐστίν, 1166a22.
- 34 πέπεισμαι ἐγὼ ἐκὼν εἶναι μηδὲνα ἀδικεῖν ἀνθρώπων.

4 Socratic piety

Introduction

In *Clouds*, Aristophanes' Socrates is a free-thinking, hubristic intellectual whose buffoonery reveals that by refusing to allow custom to rule their thinking, liberals are especially dangerous. Although people generally are short-sighted, selfish, venal, and stupid, at least conservatives (sometimes) have the good sense to recognize the importance of allowing our lives to be structured by the *nomoi* we have inherited as the foundation of our patrimony. What makes Socrates especially worrisome from this perspective is that he appears to adopt some of the behavior associated with hierophants and mystagogues, co-opting these time-honored roles, thereby luring gullible youths into impiety. Obviously Aristophanes is having a bit of fun at Socrates' expense and doesn't mean any of it literally, but the structure of the play, the plot, and many of the particular jokes reveal a specific conservative perspective that gives the jokes extra punch.

If my argument in chapters 2 and 3 is correct, then Plato has taken over this liberal Socrates, but he has shaped him so as to provide a kind of liberal retort to Aristophanes' influential comedy. Treating traditional *nomoi* with skepticism provokes fear in conservatives, fear that without the constraints of *nomos* people will have the audacity to allow their *logoi* to run away with them, either developing absurd (and impious) theoretical constructs or unscrupulously manipulating language for self-interested ends in ways that know no moral bounds. In Plato's hands, however, skepticism is a natural companion to piety: since only god is wise, we mere mortals must accept that our grasp of fundamental truths is partial at best and that we can submit to traditional *nomoi* in no greater way than in seeking an epistemically more mature grasp of them (chapter 2). Plato's version of Socrates keeps the mystagogic aspects, but clearly and consistently rejects the hierophantic associations. Despite lacking any authoritatively pronounced doctrines, Plato's Socrates shows that free-thinking skepticism does not result in the utterly subjective chaos conservatives fear; rather in the hands of decent and sincere inquirers, not only can people come to agreements with one another, we have good reason to believe that these agreements help us avoid error and lead us in the direction of what is true and good (chapter 3).

There remains one important and prominent obstacle for my case that the Socrates presented to us by Plato in the *Apology* and related dialogues is best

understood on analogy with the culturally prominent role of the mystagogue, not the hierophant. The obstacle is that in the *Apology* and *Crito*, Plato seems to present us with a Socrates who does not simply lead his interlocutors by the hand, provoking their philosophical curiosity with intelligently designed questions; in these two dialogues Socrates puts his very life on the line in defense of some very bold pronouncements about justice and our duty to obey (or disobey) the state. For example, at *Crito* 51a7–c3 Socrates has the personified laws of Athens (henceforth PLA) ask the following rhetorical question:

Are you so wise that it has escaped your notice that your fatherland is more honorable, reverend, and holy than your mother, your father, and all your ancestors, and that it is to be held in higher esteem by gods and by men with sense; that your fatherland is to be worshipped and that you are more bound to obey and to appease the anger of your fatherland than your father, and that you must persuade it or do what it commands; that you must patiently endure what it orders you to endure whether it be flogging or imprisonment, or if it leads you to war to be wounded or killed; that all these things must be done, and it is just that they be done, and you must not give way or retreat or abandon your position, but in war and in court and everywhere you must do what your city and fatherland command or persuade it as to what is just by nature; that it is not holy to use force against your mother or father, and it is far more unholy to use force against your fatherland?¹

The importance of our duty to obey the fatherland expressed here suggests that Brickhouse and Smith are correct to attribute to Socrates an “utterly authoritarian political philosophy.”² This seems more hierophantic than mystagogic. What is worse, such an authoritarian position seems incompatible with the apparent defiance of political authority Socrates shows at *Apology* 29c5–d5:

If you [gentlemen of the jury] say to me, “Socrates, we will not be persuaded by Anytus but will instead let you go this time, but only on this condition, namely that you stop wasting your time in this inquiry and that you stop practicing philosophy. If you continue doing this, you will be put to death.” If you say this to me I shall reply, “Athenian men, I respect you and love you but I will be persuaded more by god than by you, and as long as I live and am able, I will not stop doing philosophy and exhorting you.”³

In *Crito* 51a7–c3 nothing seems to trump the authority of the fatherland – not even the gods – but in *Apology* 29c5–d5 the authority of god does seem to trump the authority of the jury. This apparent tension has suggested to some that Socrates does not sincerely believe some of the arguments he offers.⁴ Such insincerity would be incompatible with the portrait of Socrates I have drawn, but even if he is sincere, I am left with the problem of two versions of Socrates that make him look more hierophantic than mystagogic.

Santas resolves this apparent contradiction in the non-authoritarian direction by arguing that god is absent from the *Crito*'s authoritarian passages: Socrates had no indication from god one way or the other with respect to his potential escape from prison (Santas 1979, 51–2). Hence, on Santas' view, Socrates' considered judgment is that "civil disobedience or conscientious refusal" are justified when obedience to political authority "would entail disobeying god, who is the better," and when such obedience "would also entail ceasing to do the greatest good in the city" (Santas 53). By stark contrast, Brickhouse and Smith resolve the apparent contradiction in the authoritarian direction by denying that in Socrates' view the authority of god trumps the authority of the state. With respect to god and law, they argue that "Socrates could not conceive of a situation in which they would come into conflict" (Brickhouse and Smith 1989, 149).

What strikes me about these starkly contrasting views is that they share a fundamental assumption in common, and it is the main thesis of this chapter that their shared assumption is false. The shared assumption is that the defiance we seem to see in the *Apology* can be genuine only if Socrates accepts that an evaluative standard for conduct exists separately from and is superior to the fatherland (I will call such a standard "transcendent"). Their positions are so opposed because Santas does believe, but Brickhouse and Smith do not, that Socrates accepts a transcendent standard. We can see a third position between these two if we translate the mystagogic Socrates we see in the *Charmides* and *Laches* from an ethical to a political context. In ethics, Socrates accepts no higher authority than the traditional virtues, but in doing so he uses custom to make the hermeneutic ascent and to show that custom itself urges us to question custom in order to arrive at a more epistemically mature grasp of the traditional virtues. We see this same mystagogic approach in Socrates' political views. If we look carefully at the *Apology* and *Crito*, we will see that Santas is wrong to think that Socrates countenances any higher authority than the fatherland, but Brickhouse and Smith are equally wrong to miss the fact that Socrates believes our pious reverence for the fatherland gives us good reason to seek a more epistemically mature grasp of what our fatherland requires of us, which entails a readiness to disobey those with a less epistemically mature grasp.

Socrates' bold assertion to the jury in the *Apology* that "I will be persuaded more by god than by you" does indicate a hierarchy of allegiance. Unfortunately, our vantage point in history may cause us to associate such defiance leading to death with Christian martyrs who chose to obey God rather than Caesar. This anachronism can cause us to misread the text, importing alien assumptions. In addition, the idea of looking for a transcendent standard in order to justify defiance of state commands is strongly suggested by modern liberal⁵ assumptions about "civil disobedience" especially prevalent since the 1960s.⁶ Many recent discussions of this problem in the *Apology* and *Crito* are influenced and distorted by such assumptions. Nevertheless, I think that Socrates' apparent hierarchy of allegiance is the right place to begin. Once we understand his hierarchy we can focus specifically on whether the top is a transcendent standard. I cover this in section 1. Next, to help free us from distorting anachronisms, in section 2 I discuss

an important alternative to the modern liberal view of civil disobedience: the early modern conservative theory of Edmund Burke.⁷ By having two very different approaches to the issue of civil disobedience before our minds, we can more accurately triangulate in on Socrates' pre-modern view, which, I will argue, is distinct from both the modern liberal view and the early modern conservative view, but which shares substantial elements in common with the latter. In sections 3 and 4 I will argue that Socrates does have an "utterly authoritarian political philosophy," but one that provides ample justification and even motivation for what we could legitimately call "civil disobedience" or "conscientious refusal." This is so because in the end it will turn out that Socrates' pious respect for civil authority and his willingness to defy civil authorities are both mystagogic.

Section 1: Socrates the anti-authoritarian?

A pretty good case can be made for interpreting Socrates in both the *Crito* and *Apology* as an anti-authoritarian. Begin with the aforementioned passage from the *Crito*: the PLA appear to argue that citizens are obligated to obey the fatherland no matter what. Vlastos has called this "inflated rhetoric" (Vlastos 1974, 534), and others have said that it is intended to have a "restricted scope" (Hanna 2007, 261; see also Wade 1971, 324; Allen 1972, 566; McLaughlin 1976, 191; Strauss 1983, 62–3; and Kraut 1984, 90, 100–1).⁸ On this view, when the PLA say, "you must patiently endure what the fatherland orders you to endure" (*Crito* 51b4–5; that is, if the fatherland orders you to x, then you must x), it means, "you must patiently endure most but not all of what it orders you to endure" (that is, if the fatherland orders you to x, then you must x provided that x is not unjust). The temptation to conclude that Socrates cannot possibly mean what he says is strengthened if we notice that immediately prior to this apparently authoritarian passage, the PLA humbly submit to instruction regarding "what is just by nature" (*to dikaion pep-huke*, τὸ δίκαιον πέφυκε, 51c1). If we are allowed to instruct the PLA on what is just by nature, then perhaps the command to endure what the fatherland orders carries an implicit proviso, namely, that what it commands us to endure is not unjust by nature. In addition, no matter how reverend the fatherland is, Socrates nevertheless says that if it seems just to escape from prison, then even if the Athenians refuse to let him go he will make the escape attempt Crito proposes (48b12–c2).⁹ If there is a hierarchy of allegiance here, then it is not what Hanna claims: "at the top is God, next the state, next parents, then the citizen" (Hanna 2007, 258). The top of the hierarchy would seem to be neither god nor state but justice, or nature, or natural justice.

At this point it becomes tempting to compare Socrates with Rev. Dr. Martin Luther King Jr. While protesting the racist segregation laws of Birmingham, Alabama, King peacefully submitted to arrest and incarceration. From his jail cell he wrote the following to a group of local white ministers who agreed with his aims but objected to his tactics:

You express a great deal of anxiety over our willingness to break laws. This is certainly a legitimate concern. Since we so diligently urge people to obey

the Supreme Court's decision of 1954 outlawing segregation in the public schools, at first glance it may seem rather paradoxical for us consciously to break laws. One may well ask: "How can you advocate breaking some laws and obeying others?" The answer lies in the fact that there are two types of laws: just and unjust. I would be the first to advocate obeying just laws. One has not only a legal but a moral responsibility to obey just laws. Conversely, one has a moral responsibility to disobey unjust laws. I would agree with St. Augustine that "an unjust law is no law at all."

(King 1963a, 243)

Based on this passage, we might infer that for King, laws derive whatever claim they have to our obedience from justice. In fact, justice seems to constitute, for King, a transcendent standard not merely for the moral authority of law, but even for legal validity (since he appears to say that an unjust law is not really a valid law at all). So his position seems at odds with legal positivism according to which legal validity is purely a matter of social facts: if it is a social fact that what you did got you arrested, tried, convicted, and punished in accordance with the duly adopted and promulgated laws of the land, then it is a social fact that you broke the law – whether that law is just or unjust. From King's perspective, he was in full compliance with all *valid* law because he was in full compliance with justice, despite the fact that he did something that got him arrested and punished. For King, justice seems to outrank positive law.

Similarly, when Socrates indicates that the PLA will submit to instruction regarding "what is just by nature," surely he means that they will be persuaded (*peithein*, πείθειν, 51c1). Hence the authority of the PLA can never stray from the bounds of justice. Disobeying a putative law will not count as disobeying a valid law if the PLA can be persuaded that the putative law is unjust by nature. The apparently objectionable authoritarianism of "thou shalt obey every law" is seriously altered if we change it to "thou shalt obey every *valid* law," especially if we combine this with the view that to be valid, a law must be just. As with King, justice might seem to be a transcendent standard for Socrates.

It is not hard to find apparent confirmation of this view in the *Apology*. In 406 Socrates was willing to risk arrest, imprisonment, and execution to oppose the motion to judge as a group 10 generals charged with dereliction of duty (32b7–c3). He says that he was willing to risk all because he thought he had a superseding duty to justice (32c1–2). Socrates champions justice even if doing so will get him duly arrested, tried, convicted, imprisoned, and executed. It is not unreasonable to interpret this as implying that for Socrates, justice is a standard that transcends law. This will not conflict with the authoritarianism of the *Crito* if (1) the authoritarianism of the *Crito* amounts merely to the claim that we must obey all *valid* laws and if (2) Socrates believes in the *Apology* that the law he would be violating is not a valid law because it is unjust.

This does seem to square the *Crito* and *Apology*, affirming a politically liberal anti-authoritarianism on the part of Socrates. But there are some problems with these interpretations. Let's begin with the apparent civil disobedience just mentioned. Socrates opposed the group trial of 10 generals because it was unjust,

but he also says he opposed it because it was illegal. Did he think it was illegal because it was unjust, or did he think it was unjust because it was illegal?

Notice his progression. He first uses the adverb “illegally” (32b4). This word might indicate that he was willing to press charges against Callixenos for proposing the group trial on the grounds that the proposal contravened proper procedure for trials. If this is what he has in mind, then he is taking a bold stand in defense of the rule of law. Hence, his highest authority might seem to be law, not justice. Unfortunately, this passage is our only evidence that there was a law protecting citizens in the right of individual trials (MacDowell 1978, 189). But even if there were such a law, and even if its contravention bothered Socrates so much that he was willing to be tried and punished along with the 10 generals (which likely would have happened if his hypothetical prosecution of Callixenos failed), it was clearly not the only thing that bothered him about this case. He switches to the plural and alleges that the group trial was “against the laws” (32b6). Exactly how many and which laws does he have in mind here? The use of the plural could indicate that when he said “illegally” he did not have in mind a violation of any particular law, but rather a more general allegation like breach of the constitution. This is further suggested when he next claims to be on the side of “law and justice” (b8–c1). Here “law” is completely general, it is not a specific statute, ordinance, or decree that he has in mind. Finally, “law” drops out completely and in the end he rests his defiant action on “justice” alone (c2), even if that means prison and death (c3). It is reasonable to take the text here to indicate not that Socrates is willing to risk his life for the sake of being a stickler for procedure, but rather that he refuses to accept that Athenian law will countenance a monstrous miscarriage of justice.

We see the same thing in the matter of the arrest of Leon of Salamis. Socrates’ language entirely disregards the manner in which the oligarchy came to power (see Dreisbach 1978); all that concerns him is that he was being ordered by the government (*archē*, ἀρχή, 32d4) to do something unjust (d3, d5) and unholy (d3). He never challenges the legal authority of the government to order him to arrest someone. How could he? The right to issue arrest warrants is basic to any form of government if it is to sustain the rule of law. Although Brickhouse and Smith are right to point out that Socrates nowhere extends his loyalty from democracy to oligarchy (Brickhouse and Smith 1989, 142), this follows from his general lack of political engagement (*Apology* 32e2–33a1). He nowhere retracts his loyalty from the oligarchy. In this passage he shifts from “democracy” to “oligarchy” (32c3–4) as one might when talking about the change of governments in a Parliamentary system (see Colson 1985, 136–7). Despite the threat to kill him if he did not comply (32d8), what determines Socrates’ course of action is neither party loyalty nor positive law but holy justice (32d3–5). Someone who defiantly declares, “Regardless of what the authorities say, I will follow holy justice even if it costs me my life” seems to be someone who accepts justice as a standard transcendent to law.

Finally, and most obviously, *Apology* 29c5–d5, quoted in the introduction to this chapter, seems to indicate that Socrates accepts god as a standard transcendent to law, even if it costs him his life. Against this, Brickhouse and Smith argue

that the jury's hypothetical command that Socrates cease practicing philosophy cannot be considered legally valid (Brickhouse and Smith 1989, 143–7) and hence that his appeal to the god is not an appeal to a standard transcendent to the law. Unfortunately, they consider only two interpretations of the jury's hypothetical decision: (a) the jury finds Socrates innocent, but imposes a penalty on further philosophizing, and (b) the jury finds Socrates guilty, but proposes as punishment the cessation of his philosophizing. On (a), we would have to suppose that an Athenian jury was empowered to issue a conditional acquittal, but surely that is absurd: an innocent person deserves no penalty whatsoever (Brickhouse and Smith 144). On (b), we would have to suppose that an Athenian jury was empowered to reject both the punishments proposed by the prosecution and the defense and make up their own third form of punishment, but we know that they were not thus empowered. It would seem, then, that Socrates' defiance of a jury order to cease philosophizing would not be defiance of anything that could count as a law: Socrates does not vow to disobey a law, but only a legally errant judgment (see Blyth 2000).

However, Brickhouse and Smith ignore a third possibility: (c) the jury believes that Socrates is guilty of impiety and corrupting the youth but votes "not guilty" and warns him that if he is later brought to trial for persisting in his philosophical activities they will on that occasion find him guilty and accept the penalty that would inevitably be proposed by the prosecution: death. By the time of Socrates' trial it had long been a matter of Aristophanic parody that a clearly guilty defendant could be acquitted when the jury saw his poor, weeping children (*Wasps* 568–74, 976–8; see *Apology* 34b7–c7). Although this practice is clearly susceptible to abuse, it was perfectly legal for a jury to acquit someone they believed to be guilty for reasons of what today we might call "equity," that is, mitigating a harsh penalty out of a sense of decency or fairness to the special circumstances of an individual. Similarly, under the historical circumstances it was a perfectly plausible thought experiment for Socrates to consider the jury acquitting him despite believing that he was guilty and then warning him that the next time they would not be so forgiving. This does not entail that the jury is hypothetically passing a statute or city ordinance proscribing philosophical activity within the city limits – something they were not legally empowered to do. The only law that need be in question is the law against impiety. The jury would, in this hypothetical scenario, simply be informing Socrates that in their opinion, his philosophical activity is illegal because it constitutes impiety. Hence, if on his hypothetical "second offense" Socrates is duly tried, convicted, and punished for impiety, then it was illegal for Socrates to practice philosophy (see Burnyeat 1997). Despite the fact that he would be breaking the law (in the hypothetical eyes of the current jury), Socrates declares in advance that he will refuse to comply, and he seems to appeal to a higher authority to justify his defiance. We can make sense of this if we believe that in Socrates' view, the proscription of his philosophical activity cannot count as *valid* Athenian law because it is contrary to holy justice.

Although they do not consider this possibility (that is, that the jury votes "not guilty" despite believing Socrates to be guilty of impiety), Brickhouse and Smith

do consider the possibility that the prosecution could propose the cessation of philosophizing as Socrates' punishment for impiety and corrupting the youth. They reject this idea as "absurd" without supporting evidence (Brickhouse and Smith 1989, 147). But in fact there is evidence that such a penalty was not absurd at all. In 376/5 several Delians were convicted of impiety in a case that involved physical violence against Athenian officials in a temple to Apollo. Their punishment was a fine and exile – and hence they were released, that is not killed (MacDowell 1978, 197). It is not at all unreasonable to suppose that if non-Athenians are punished this way for a violent offense in a temple, then an Athenian citizen might be given a much lighter punishment for a non-violent offense in the agora.

Hence, there is a reasonable way to resolve the apparent conflict between Socrates' deference to and defiance of civil authority, and this resolution does not commit Socrates to an objectionable authoritarianism. I think this is a close approximation to Socrates' actual view. My lingering doubt is that although it succeeds in resolving the apparent conflict, it fails to account for the fact that Socrates makes no attempt to resolve the apparent conflict himself. He seems oblivious to the problem.

We cannot put this off by saying that the conflict is between two dialogues because the conflict occurs within each dialogue. The Socratic defiance we see in the *Apology* occurs despite Socrates' claim that it is unjust to be unpersuaded by one's superior whether this superior is god or man (*Apology* 29b6–8). This seems to demand complete obedience to the laws of man. The Socratic deference we see in the *Crito* occurs despite his claim that if it seems just to him to escape from prison, then even if the Athenians refuse to let him go he will try to escape (*Crito* 48b12–c2). He speaks not merely as if his claims are not in conflict, but as if his claims do not even present the appearance of conflict. Either Plato was not smart enough to see the apparent conflict, or we have not yet grasped his meaning. In the next section I begin to defend the second alternative by identifying some of the faulty assumptions that induce the optical illusion that there is a conflict in Plato's texts: the problem is merely in the eye of the modern beholder.

Section 2: Two theories of civil disobedience

Return to the quotation from Martin Luther King near the beginning of the previous section. We might interpret King in this passage not only as rejecting legal positivism but also as rejecting what some scholars refer to as "political obligation," that is, the view that our duty to obey the law rises to the level of a moral obligation. Our moral obligation to obey the law kicks in, it might seem from that quotation, only when the law is ratified by justice, in which case it might seem that our moral duty derives from justice and not from law.

The view King expresses here may be compatible with the claim of Henry David Thoreau, who, in his essay "Civil Disobedience," asked:

Must the citizen ever for a moment, or in the least degree, resign his conscience to the legislator? Why has every man a conscience then? I think that

we should be men first, and subjects afterward. It is not desirable to cultivate a respect for the law, so much as for the right. The only obligation which I have a right to assume is to do at any time what I think right.

(Thoreau 1849 [1993], 2)

We might read this passage as a rejection of political obligation: civil authority is not moral authority, and so commands issued by it should be regarded by the conscientious citizen as non-authoritative until ratified by the individual's conscience. In Thoreau's eyes, accepting political obligation may amount to sacrificing our humanity.

Something similar might seem to follow from the view of another great modern hero of civil disobedience: Mohandas Gandhi. As his views evolved, Gandhi gave up the phrase "passive resistance" as a description of his political activity and instead he used the neologism "*satyagraha*," which he explained as follows:

Truth (*satya*) implies love, and firmness (*agraha*) engenders and therefore serves as a synonym for force. I thus began to call the Indian movement *Satyagraha*, that is to say, the Force which is born of Truth and Love or non-violence.

(Gandhi 1926, 93)

When there seemed to Gandhi to be a conflict between colonial rule and truth, the firmness of his love gave him the strength to oppose the error. This can be read as a rejection of political obligation: the political order derives whatever authority it has only from the truth; of itself it has no legitimate claim to our obedience. In fact, as Thoreau's view suggests that we risk losing our humanity if we accept political obligation, Gandhi's view suggests that we risk losing our commitment to the truth, and hence our capacity for love, if we accept political obligation.

If we put Thoreau and Gandhi in their proper historical contexts, their views increase in reasonableness. One of the dominant arguments for political obligation is the argument from fairness: those who benefit from collective action might be thought to have a moral obligation to comply with the rules of the collective. Consequently, in cases where the benefits I can expect to share are insignificant compared with the burden placed on me by the collective, then with respect to me, the system is not "reasonably just,"¹⁰ and I have no moral obligation to do my part. David Lyons has argued that the system of chattel slavery that angered Thoreau, and the system of colonial rule against which Gandhi fought, were not reasonably just (Lyons 1998). Lyons concludes that Thoreau and Gandhi rightly rejected political obligation to their respective systems. They peacefully submitted to arrest and punishment not because they believed they had a moral obligation to the state, but because they calculated that peaceful non-resistance would be more effective than violent resistance (of course Gandhi also had religious reasons for his philosophy of non-violence).

While I agree with most of Lyons' argument, I disagree with his extension of his argument to Martin Luther King. Lyons is quite correct to argue that what the

system of chattel slavery is to Thoreau and the system of British colonial rule is to Gandhi, the Jim Crow system is to Martin Luther King, that is, proof that the political system is not reasonably just and hence lacks moral authority. However, this analogy masks an important disanalogy that should cause us to associate King not with Thoreau or Ghandi, but with Socrates.

To understand the distinction I see between Thoreau and Ghandi on the one hand, and Socrates and King on the other hand, notice something I have so far neglected in the case of Gandhi. To explain his concept of *satyagraha*, Gandhi once said the following:

Its root meaning is holding onto truth, hence truth-force. I have also called it love-force or soul-force. In the application of *satyagraha*, I discovered in the earliest stages that pursuit of truth did not admit of violence being inflicted on one's opponent but that he must be weaned from error by patience and sympathy. For what appears to be truth to the one may appear to be error to the other.
(Gandhi 1920, 206)

Gandhi's political humility of peaceful submission to arrest and punishment at the hands of the civil authorities masks an epistemological assertiveness. Gandhi is clear that "what appears to be truth to the one may appear to be error to the other," but this does not lead him to skepticism or subjectivism. Quite to the contrary, his recognition that people disagree about what the truth really is gives him the desire to force his own view on people who disagree with him. Of course he doesn't use violence to force his views on others, he uses what he calls "soul-force" or "love-force" to assert that what appears true to him is the real truth and that those who disagree with him are just plain wrong.

The alternative theory of civil disobedience I have in mind rejects this epistemological assertiveness in favor of what I call "politico-epistemic humility." "Who am I to question the state?" is the primary question to ask from this alternative perspective. Such a view was developed at the end of the eighteenth century by the English politician and philosopher Edmund Burke in his *Reflections on the Revolution in France*. In contrast with social contract theories like those of Hobbes, which seek the foundation of the state in an historical agreement, Burke sees the foundation of the state in historical inheritance (see Burke 1790, 30–5). For Burke, the phenomenon of cultural inheritance has both political and epistemic implications. Consider first the epistemic.

We are afraid to put men to live and trade each on his own private stock of reason; because we suspect that this stock in each man is small, and that the individuals would be better to avail themselves of the general bank and capital of nations, and of ages.

(Burke 1790, 87, see 61)

Like Aristophanes, Burke is here an equal opportunity offender, critiquing the rationality of all individuals regardless of their social, cultural, or political bent.

For example, consider the 18th Amendment to the United States Constitution. It is one thing for me to decide that I will no longer drink intoxicating liquors; it is quite another for me to propose making it illegal for anyone in an entire country to drink intoxicating liquors. I might be able to calculate the effects of abstinence on my own life and the lives of those close to me, at least in the near future, but calculating the effects of constitutionally mandated abstinence on an entire nation for years into the future is quite another matter. Correcting one set of problems that I see clearly can create a whole host of problems that I cannot even imagine. A collective process of gradual and compromise-ridden change may result in a much wiser policy than any individual could devise. The collective wisdom may be greater than the wisdom of any particular member of the collective.

Next, consider the political implications of cultural inheritance. Burke raises this concern with respect to the revolutionary appropriation of church lands in France during November of 1789. Burke points out that this violated the settled expectations of a great many people who counted on the emoluments of their professions and who had planned their lives around the security of these payments (Burke 106–7). Even if the revolutionaries were correct that there was something unjust in the security of these positions, changing horses in mid-stream violates the settled expectations of the many people whose lives were dependent on them directly and indirectly. It is possible that abruptly correcting an injustice commits a worse injustice.

Burke's view casts the civil disobedient in a starkly different light. There may be a cinematic heroism in the rebel-with-a-heart-of-gold, or a kind of religious romanticism in a moral martyr, but on Burke's analysis there is more than a bit of arrogant self-indulgence in such characters.

I cannot conceive how any man can have brought himself to that pitch of presumption, to consider his country as nothing but *carte blanche*, upon which he may scribble whatever he pleases. A man full of warm speculative benevolence may wish his society otherwise constituted than he finds it; but a good patriot and a true politician, always considers how he shall make the most of the existing materials of his country. A disposition to preserve, and an ability to improve, taken together, would be my standard of a statesman. Every thing else is vulgar in the conception, perilous in the execution.

(Burke 1790, 157–8)

The vulgarity Burke has in mind goes beyond mere “presumption.” With respect to the revolutionary National Assembly, Burke asks, “Who could doubt but that, at any expence [*sic*] to the state, of which they understood nothing, they must pursue their private interests, which they understood but too well?” (43). If patriotism is the last refuge of a scoundrel, “equal justice” may be the banner of the greedy. Such people might even fool themselves into thinking that they are motivated by a passion for the “rights of men” when in fact they are actually motivated by their personal feelings of resentment against the rich and powerful and by their own greed (see 109–10, 224–5).

This preservative (157) or conservative (33) politico-epistemic humility does not rule out actively pursuing changes in laws and institutions to correct injustices. In fact, it does not conflict with the use of violence to correct state-sponsored or coerced injustice. Burke supported national revolutions in Ireland, Corsica, Poland, and the American colonies; his denunciation of the revolution in France came as a surprise to many. In distinguishing the French revolution from the English revolution of 1688, Burke claims that the latter “was made to preserve our *antient* [*sic*] indisputable laws and liberties, and that *antient* constitution of government which is our only security for law and liberty” (31). He goes all the way back to Magna Carta and gives the same interpretation of the repeatedly violent changes to the English constitution. In Burke’s view, one may take up arms against the king himself if the king himself has subverted “antient” rights and liberties.

For Burke, the English revolution was a preservative or conservative defense of traditional, inherited rights and liberties. The French revolution, in Burke’s view, was the brain-child of “sophisters” (35) who considered their ancient and noble country *carte blanche* upon which they might scribble what seemed right to them. We might say that Burke sees the French revolution as the political equivalent of Cartesian philosophy as it unfolds in the *Meditations*. In the first meditation, Descartes “destroys” the existing edifice of putative human knowledge (by doubting the truth of its foundations) and then proceeds to build a new edifice upon principles that seem clear and distinct to him. But it is one thing for Descartes to do this in the safety of his own room, and quite another for the French National Assembly to do it to the nation at large. Burke describes the policies of the new government in France as “abolition and total destruction . . . destroying and pulling down” (168). In an allusion to a famous judgment of King Solomon, Burke criticizes the “boasting” and “arrogance” of the members of the National Assembly who lack the “tender parental solicitude which fears to cut up the infant for the sake of an experiment” (167, see 69, 87–8, 160).

We can distinguish, therefore, between a liberal “Cartesian” theory of civil disobedience and a conservative “Burkian” theory. On the liberal theory, we are free to judge the law by standards of our own choosing (for example, Thoreau’s conscience or Gandhi’s truth); on the conservative theory there is no legitimate standard higher than our inherited rights and liberties.

The notion of civil disobedience is unambiguous on the Cartesian view: if we are free to judge law by standards of our own choosing, then the rule of the civil obedient is “do nothing that can get you arrested,” and the rule of the civil disobedient is “do what can get you arrested only if there is a sufficiently important value at stake, or the civil authority is less than reasonably just.” The side constraint of political obligation does three things here: (1) justifies the “only if,” setting a hurdle for justifying action that can result in arrest; (2) distinguishes the civil disobedient from the criminal and the rebel; and (3) entails other requirements, for example the duty peacefully to submit to arrest.

By contrast, civil disobedience is ambiguous on the conservative view. If politico-epistemic humility denies us the liberty to judge the law by standards of

our own choosing, then in an obvious sense there can be no such thing as justified civil disobedience. Between compliance with law on the one hand and rebellion on the other hand, there is only criminal violation of law. However, the rule of the conservative is not “do nothing that can get you arrested,” rather it is “be on your guard lest private citizens or even state officials presumptuously assert their own authority in violation of our inherited rights and liberties.” Disobeying presumptuous authorities – be it the local sheriff or the king himself – can be justified by “antient” rights and liberties and so can be considered a kind of compliance with law; yet such action can get you arrested, convicted, and punished, so it can also be considered a form of disobedience.

The standard view is that Thoreau, Gandhi, and King are all examples of the same kind of civil disobedience. Now that I’ve distinguished between Cartesian and Burkian civil disobedience, we can separate these three figures.

First, consider the case of Gandhi. Gandhi was horrified at English racism and brutality, but he was not an Enlightenment philosopher who derived his opposition from clear and distinct political “first principles.” He was an Indian who loved his countrymen and his country and who was justly angered at the British destruction of his culture (see Parekh 1991, especially 127–8). Gandhi’s political activity can easily be seen as preservative and restorative of the inherited rights and privileges of Indians. His non-violence and his refusal to resist arrest and submit to punishment need not be seen as moral obligations deriving from the alleged fact that British rule was, despite its injustices, at least “reasonably just” (see Lyons 1998, 37–8). Speaking in the context of his non-violent philosophy, Gandhi once said, “Yours should not be a *passive* spirituality that spends itself in *idle* meditation, but it should be an *active* thing which will carry *war* into the enemy’s camp” (quoted in Parekh 1989, 114). One has no moral obligation to obey the enemy, and although violence may be perfectly justified, it is also possible to use peaceful means to embarrass the enemy in the world press and win international support. Gandhi was Indian, not English, and he acted, at least partly, from a preservative or conservative attitude toward Indian law, culture, and religion. Parekh shows how Gandhi’s philosophy of *ahimsā* developed out of, and in reaction to, traditional views of *moksha*, which typically involved the idea of non-involvement in the world. For Gandhi, both *moksha* and *ahimsā* must be understood as involving deeply compassionate involvement in the world (Parekh 1989, chapter 4). Since Burke supported a number of national revolutionary movements in his own day, it is not unreasonable to think that he may have supported Gandhi’s resistance if he had lived to see it.

On the contrary, I think that a Burkian would have to condemn the political activity of Thoreau. In “Civil Disobedience,” Thoreau makes the following claim:

It is not a man’s duty, as a matter of course, to devote himself to the eradication of any, even the most enormous wrong; he may still properly have other concerns to engage him; but it is his duty, at least, to wash his hands of it, and, if he gives it no thought longer, not to give it practically his support.

(Thoreau 1849 [1993], 6)

This hand-washing civil disobedience seems all too appropriate for the man who withdrew from society to live alone at Walden Pond. In a study of Thoreau, Richard Lebeaux draws exactly this connection.

It is difficult to understand fully the intensity and anger of “Civil Disobedience” without reference to the issues Thoreau was confronting, and the emotions he was drawing on, in the months after leaving Walden. The lecture could perhaps only have been hatched after the return to Concord, when he felt more vulnerable to family, friends, and the demands, expectations, and corruptions of civilized life. In some ways, the lecture was another defiant declaration of independence, as going to Walden had been in part. Once again, he separates himself from his community and society and insists on his heroism, autonomy, and purity. Re-creating the night in jail was a means of removing himself imaginatively to the Walden hut. Once more he was walled in, insulated from townspeople, inhabiting pure and pristine territory, cleansing himself in Walden’s purgative waters.

(Lebeaux 1984, 75).

No doubt Burke would see Thoreau as a man of “presumption” who trades “on his own private stock of reason,” which functions to mask even from himself the emotional resentment that truly drives him. Thoreau’s concern is not preservative of the rights and liberties guaranteed in obedient civic life, but is purgative of the taint one absorbs from participation in a less than completely just society. His basis for his judgment is his own conscience purified from social expectations, and so Burke would likely see Thoreau as foolish at best, dangerous at worst. Insulated from the wisdom of others, Thoreau’s private thoughts would miss many opportunities for advancement, sophistication, and correction. Cleansed of the mores of his culture, his conscience could come to tolerate what is unconscionable among decent people. In actual fact Thoreau developed in ways that are morally admirable (for example he regularly served as a conductor on the Underground Railroad; Newman 2005, 191). But from a Burkian perspective we should conclude that this was a morally good result of a morally unjustified, and dangerous, process.

Notice that the basis of one’s activity is crucial on Burke’s view. Thoreau and Emerson were quite similar in many ways, but when he learned of the former’s tax protest and subsequent arrest, Emerson is reported to have said Thoreau’s action was “mean and skulking, and in bad taste” (Lebeaux 1984, 74). It is possible to agree with someone’s position but to question their motives and some of the actions to which those motives lead. We can agree with Thoreau’s position on slavery but question whether “I now think I’m right” is sufficient justification for non-compliance, especially when this justification is deliberately immunized from cultural standards of decency and our shared inheritance of rights and liberties. At least as many unjust as just acts can be committed because “I now think I’m right.”

Here we have contrasting moral and political dangers. Thoreau’s hand-washing threatens to degenerate from moral purification to moral insulation. Burke’s

conservatism threatens to degenerate from moral cooperation to unthinking conformity. Burke himself is anti-Semitic (Burke 1790, 84, 105), sexist (74–6), and anti-democratic (93); he unreasonably minimizes the corruption of the church hierarchy in France (147) and the oppression of the working classes generally (246). Deliberately or not, he turns a blind eye to much injustice in France and England, and we may think that this is a direct result of his conservative view of civil authority. Since I think Socrates' view is closer to the Burkian (conservative) than to the Cartesian (liberal) view of civil authority, I need to show how he avoids such dangers.

Section 3: Politico-epistemic humility in the *Apology*

During his first bid for the US presidency, George W. Bush said, "I could not be governor [of Texas] if I did not believe in a divine plan that supersedes all human plans. . . . My faith frees me . . . to make decisions that others might not like. Frees me to try to do the right thing, even though it may not poll well" (Bush 1999, 6). The apparent humility of submitting oneself to a higher authority is undercut by the presumption of asserting that one is competently acquainted with the mind of God, so much so that in obeying it one is willing to ignore or violate "all human plans." If we accept without supplement the interpretation of Socrates developed in section 1, then Socrates' position would seem to be similar to that of Bush and Thoreau.

When Socrates heard that the Delphic oracle had pronounced that no one was wiser than he, he did not set off on a faith-based crusade to correct the folly of the masses. He also did not reject the oracle as false, in spite of the fact that what it said seemed obviously false to him. Instead, Socrates took a third course: like a mystagogue without a hierophant, he was confused (*ēporoun*, ἑπόρουν, 21b7).

Consider a modern parallel. I once pointed out to someone who believed in biblical inerrancy that according to Genesis 6–9, the deluge covered the entire earth, but that geologists have found that in fact there has never been a world-wide deluge that wiped out all human civilization. My interlocutor paused to re-consider and then said that we must be misunderstanding the bible: perhaps what it means to say is only that the entire *known* world was flooded. I found this response interesting. A purely faith-based response would reject the science (saying, for example, that scientists are misinterpreting the data or that God arranged misleading data as a test of our faith); a purely fact-based response would reject the bible as errant on this point. A third response – humility – is that of my interlocutor: "I have faith that the bible doesn't err, and yet it clearly seems to be saying something false in this instance; the problem must be with my limited understanding." The first two responses take the two apparently conflicting claims at face value; the third response makes a hermeneutic ascent, that is it allows for the possibility that we see the claims of science and the bible as conflicting because of our faulty interpretations and that if we interpret the relevant claims properly the appearance of conflict will be dispelled. The hermeneutic ascent can easily be abused and degenerate into sophistry, but that is a problem not with the ascent itself, only

with how responsibly it is conducted. People who have pious reverence for the bible combined with a sense of intellectual integrity with respect to science can make the hermeneutic ascent responsibly if they do so with epistemic humility: “My knowledge is inferior to that of the scientific experts, but it is also inferior to sacred scripture; when the bible appears to affirm something that science appears to deny, then I am misunderstanding the bible, science, or both.”

Faced with an oracle that cannot lie and yet that seems clearly to be saying something false, Socrates “tests” (*elegxōn*, ἐλέγξων, 21c1) the oracle. Socrates’ hermeneutic ascent results in additional support for the very thing that made the ascent reasonable to him in the first place: his epistemic humility. His interpretation does not seem strained or sophistic, for it is in keeping with other oracles (Reeve 1989, 30–1). After examining a politician with a reputation for wisdom, Socrates reaches the following conclusion:

Leaving him I thought to myself that I am wiser than this man. Probably neither one of us knows anything fine and good, but he thinks he knows something although he doesn’t, while I don’t know anything and think that I don’t know anything. So it seems that in this small way I am wiser, that what I do not know I do not think that I know.¹¹

(*Apology* 21d2–7)

This epistemic humility is a fundamental part of Socrates’ philosophical practice. Socrates sets out to refute people, at least in part, in order to disabuse them of their false pretensions to knowledge, if any (see *Charmides* 166c7–d4).

Without the hermeneutic ascent, Socrates’ defiance of the jury would appear arrogant and hence in conflict with this humility. He would appear to be assuming that he knows his philosophical activity to be fine, good, and loved by god. On the contrary, however, his humility at most assures him that when the jury concludes that his philosophical activity is shameful, bad, and god hated, they are guilty of having a false pretension to knowledge. Elenctic examination could, no doubt, convince them that they were wrong, or at least that they didn’t know that they were right.¹² Socrates has just pointed out to the jury his reasons for thinking that the god approves of his philosophical activity. The jury hypothetically concludes that the law disapproves of Socrates’ philosophical activity. In Socrates’ view, pious reverence for god and law demand the hermeneutic ascent: the Delphic oracle must not be interpreted as commanding illegal activity, and the law must not be interpreted as commanding impious activity.

So Socrates’ view is not the “blind-obedience-to-the-state” described by Panagiotou (Panagiotou 1992, 94, 97–105). Blind obedience is presumptuous: it presumes that what the law pre-reflectively appears to us to command is what it in fact commands. Socrates rejects non-reflective presumption about such matters (although not about mythological matters, as I argued in chapter 2). If the jury is properly humble, they will realize that they bear a hermeneutic burden: they must find some way of reconciling god and law. If they do not take up this hermeneutic burden, they are guilty of having a false pretension to knowledge and of breaking

the vow they made at the beginning of the year to judge according to the laws (*Apology* 35c2–5). In commanding Socrates to cease his philosophical activity they would falsely presume to know that law trumps god or that their own authority trumps both law and god.¹³

The same is true in the case of Leon of Salamis. Socrates' conscientious refusal does not derive from a refusal to extend his allegiance from democracy to oligarchy or from a refusal to obey a government that came into power as did the oligarchy.¹⁴ Rather his refusal derives, as he says it derives, from holy justice:¹⁵ murder is unholy and against the law. In commanding Socrates to apprehend Leon for execution, the oligarchs would falsely presume to know that such a murder is holy, or that such a murder is legal, or that their own authority trumps both law and god. Elenctic examination could refute those presumptions, or at least show that the oligarchs could not defend them as they would if they actually knew that they were true. Socrates is indeed wiser than the oligarchs: he knows that he is wise in neither a small nor a large way, but the oligarchs think they know some very controversial truths when in fact they know no such things.

The same is true in the case of the group trial of 10 generals. If we assume that Socrates has the modern liberal theory of civil disobedience, then his two objections to the Assembly must be seen as distinct: (1) the group trial contravenes law, and (2) even if the vote by the Assembly has the force of law, the group trial contravenes the transcendent standard of justice. But Socrates does not present his case as having two separate levels. If we assume the modern liberal theory of civil disobedience, then we must say that Socrates confuses the two separate issues because he doesn't make it clear whether he has one law, many laws, or the constitution generally in mind and because he sloppily runs (1) and (2) together (at *Apology* 32b8–c1).

The trouble is not with Socrates. The trouble is with our attributing to him modern assumptions about civic duty. The neat separation of issues we have on the modern liberal theory of civil disobedience presumes something Socrates finds impious: the view that law and justice can be at odds with one another. Socrates runs law and justice together, and fails to distinguish one law from many laws and from the constitution generally, because the hermeneutic ascent involves all of these. A morally responsible citizen who humbly submits to the authority of the fatherland cannot be so presumptuous as to assume that she or he is an infallible interpreter of law or justice when justice appears to conflict with the constitution, the collective intent of several laws, or the apparent content and proper application of one particular law. The best simple statement of Socrates' position, then, is authoritarian: always obey your superiors.¹⁶ But we must not abdicate our hermeneutic duty: the commands of one's superiors must be interpreted and applied to specific instances responsibly.

Modern assumptions here are influenced by "legal positivism," the classic statement of which is by John Austin: "The existence of law is one thing; its merit and demerit another. Whether it be or be not is one enquiry; whether it be or be not conformable to an assumed standard, is a different enquiry" (Austin 1832 [1995], 157). Positivists divide what Socrates unites, that is the determination and

the evaluation of law. Perhaps Socrates would be willing to accept that positivism is true of English law, if English law does not deserve the pious reverence of the English, but he would deny that it is true of Athenian law. One cannot properly determine what actions an Athenian law proscribes without accurately evaluating the content of the law: if a specific interpretation or application of an Athenian law results in what appears to be a miscarriage of justice, then one must have misunderstood or misapplied the law, or the principles of justice, or both.¹⁷ Legal positivism is a doctrine of arrogant presumption unless it is applied to law that is undeserving of the pious reverence of the people who are ruled by it.

To some degree, Socrates' view stems from Athenian legal practice. In 410 there was a concerted effort to collect and re-inscribe all the "laws of Solon" (MacDowell 1978, 46). The trouble was that in general the laws were "stated very briefly and baldly, with no definition of terms or description of circumstances" (MacDowell 55). This is certainly true with respect to the allegations against Socrates. In cases where the relevant law was not especially determinate, a prosecutor would have to convince a jury that the defendant's behavior under the circumstances ought to count as falling under the legal proscription. Surely jurors could rely on their linguistic intuitions regarding the words used in the law, but no doubt they also relied on their sense of fairness as well. In deciding whether or not the defendant's behavior under the circumstances ought to count as falling under the legal proscription a juror might very well decide first whether or not the defendant deserved to be punished for what he did. If a prosecutor could not convince the jury that the defendant ought to be punished, he would no doubt have a very tough time convincing them that any written law actually proscribed the behavior.

The right to a trial by a jury of ordinary citizens – a right that is often considered essential and fundamental to democracy – was invented and first used widely in Athens (MacDowell 34). Socrates' Athenians did not see the adjudication of law as a matter for trained specialists, but rather for the community as represented by average citizens. At the beginning of their year of service, jurors swore an oath to judge according to the laws and decrees of Athens, and where there were no laws to guide them, to judge "by the most just opinion" (Demosthenes *Against Leptines* 20.118). According to Demosthenes, jurors abide by this oath as long as they are not swayed by enmity or goodwill toward the defendant, and they vote according to their best judgment even if, technically, they judge incorrectly, for example by making a mistake about the content of the governing law (*Against Aristocrates* 23.97):

Let no one say that this happened, but only that it was just that it happened; let no one say that other juries upheld those decrees, but ask them whether their plea is more just than ours. If they can't do this, then I do not think you do well to give greater weight to the deceit of others than to your own opinion.¹⁸

(Demosthenes *Against Aristocrates* 23.98)

Demosthenes' claim here is not only the contradictory of Austin's positivism, it is the outright contrary. Demosthenes insists that juries unite what Austin divides.

Of course, we mustn't lose sight of the fact that Demosthenes is trying to win a case here (and so he is probably over-stating his view), but the view he expresses is close to Socrates' claim in the *Apology* that

the jury does not sit to dispense justice by corruptly giving in to someone's private interest, but rather to judge; and the oath they swore was not to render whatever verdict they liked, but to judge according to the laws.¹⁹

(35c2–5)

If we are positivists, then we will think that Socrates ineptly confuses issues of justice with issues of law. I take this as reason to conclude that Socrates was no positivist and instead assumed that for a jury to make its decision according to justice and according to law would have to come to the same thing; to think otherwise would involve a mistake in at least one of the two judgments.²⁰

Nevertheless, Socrates' anti-positivism probably outstripped that of his culture. Demosthenes recounts the juror's oath in several different speeches, and it is clear that jurors are to rely on their own sense of justice only when there is no governing law (see *Against Boeotus I* 39.40). If the rule of law is to mean anything at all, then the actual content of the law must have binding force that constrains jurors. Socrates' view is idealistic not only in contrast with modern legal positivism, but also with the jurisprudence of his own time.

Hence I disagree with Kraut's recent argument that in the *Apology* we see the tension between piety and dutiful citizenship (Kraut 2000). Socrates' dramatic "I will obey the god rather than you" (*Apology* 29d3–4) is not pitting his duty as a citizen against his duty to god. It never occurs to Socrates that his duty as a citizen could ever under any circumstances require him to violate holy justice; to think so would be impious. The "god rather than you" opposition is not an opposition between religious and civic duties, but between religio-civic duty on the one hand and duty to the collective wisdom of the *dēmos* on the other hand. The fact that x appears to be illegal or unjust to the jury is not proof that x is illegal or unjust. The matter must be examined carefully, and this examination must also involve a self-critical examination of one's own values, beliefs, and assumptions because "the unexamined life is not worth living for a human being" (38a6–7). As I have emphasized in the previous two chapters, what we see in Socrates is a mystagogic commitment to following the logos no matter where it leads. The results of his critical and self-critical examination of both justice and law yields an unambiguous result: Socrates must philosophize, and this is his duty both as a pious individual before god and also his duty as a law-abiding citizen.²¹ The fact that things appear differently to a majority of the jury simply exposes the danger of uncritically following appearances and the danger of holding capital trials in one day (*Apology* 37a5–b2; see Thucydides 1.132.5).

Notice that in the *Apology* Socrates twice raises objections to what might appear to be matters of positive law: (1) the group trial of 10 generals (32a8–c3) and (2) the holding of capital trials in one day (37a5–b2). The actions to which Socrates objects both undermine the possibility of a *self*-critical inquiry that allows for

the re-consideration of arguments when “wrath is dulled” and cooler heads can prevail (see Cleon’s speech at Thucydides 3.38.1). Socrates’ opposition to both suggests that he disagreed with the mob who shouted out during the consideration of the group trial that it was terrible for someone to try to prevent the *dēmos* from doing what it wanted to do (Xenophon *Hellenika* 1.7.12). This provides some grounds for attributing to Socrates an opposition to “radical democracy” in which the un-self-critical whims of the *dēmos* are allowed to violate the Athenian constitution and are never subject to review.

Socrates’ bold stance is not in defense of some religious or philosophical truth against his duties as a citizen; rather his bold stance is for what is rationally compelling upon consideration and against the power of appearance on an un-self-critical majority (compare *Protagoras* 356c4–e4 and *Gorgias* 521d6–522a7). Just as the oligarchs are deluded into thinking that murder can be just or legal, or that their own authority is greater than that of holy law, so also a jury can be deluded into thinking that god’s gift to Athens is an unjust criminal. In both cases, Socrates is wholly obedient to both law and justice; he resists only those who presumptuously take themselves to know that the law commands them to commit injustice, or that justice commands them to violate the law, or that their own wisdom is superior to that of holy justice and law.

Section 4: Politico-epistemic humility in the *Crito*

Socrates’ epistemic humility does not require him “to disavow all reasonable positive convictions about morality” (Irwin 1995, 27). His convictions, however, must stand up to rational testing: his epistemic confidence never undermines his epistemic humility. Socrates’ reasons are conclusive because they make a specific course of action reasonable, but they are not final because they do not yield divine wisdom and hence are always subject to re-consideration. This is how he begins the discussion in the *Crito* (46c2–6, 48d3–e3) and how he ends it (54d2–7). The end is especially maddening. After concluding his argument that he ought not escape, Socrates tells Crito that the arguments he has just gone through are like the flutes of the Corybantes whose din rings in his ears so that he is not able to hear anything else. He adds that if Crito has anything else to say, he will speak to no avail. What is maddening here is that the conclusive language is immediately undercut by epistemic humility. Socrates does not in fact assert that anything further Crito has to say will fall on deaf ears, for his claim is qualified by an accusative absolute: “as things now seem to me.”²² He explicitly invites Crito to continue the argument if he thinks he has anything more to say (54d7). If we fail to see that Socrates accepts his reasoning as conclusive but not final then this passage is devilishly confounding and we may be driven to suggest that Socrates is being ironic at a time when irony is most inappropriate.

Socrates approaches his civic duties with the same epistemic humility. How can Socrates accept the holiness, justice, or even legality of his execution when he believes that he was wrongly convicted? Part of the answer has to do with his humble acceptance of Athenian legal bifurcation, that is the separation of the guilt

and sentencing phases of a trial (*Crito* 50b2–5). The fact that the convict believes the wrong verdict was reached in the guilt phase is not in itself a sufficient reason to think that anything improper occurred in the sentencing phase. Hence, there is no reason to think that the jailer who keeps Socrates in prison and brings him the hemlock to drink is doing anything wrong. We needn't think that to get him off the "moral hook" he must appeal to something like the "following orders" justification used by some Nazi officers (Brickhouse and Smith 2004, 238–40; see also 2013, 80–1). We do not need an account of non-culpable wrongdoing if the agents of the court are doing no wrong in carrying out a legally valid sentence (*contra* Colson 1989, 34–5). Notice that perhaps 80 jurors who voted "not guilty" in Socrates' case voted in favor of the death penalty (Diogenes Laertius 2.42). Perhaps the guilty verdict changed some minds (for example, "I thought he was innocent, but since so many think he is guilty, they must be right"), but bifurcation embodies the notion that the justice of the sentence depends directly upon the verdict and only indirectly on the guilt of the one sentenced.

While I think that Socrates' acceptance of legal bifurcation helps explain his attitude toward his jailor (Socrates seems to think that his jailor is doing nothing wrong in enforcing the death sentence), I do not think it fully explains Socrates' attitude toward his own death. Socrates refuses to believe that Athenian law would command a monstrous miscarriage of holy justice. Since he believes that he deserves some reward for his philosophizing (*Apology* 36d1–37a1), he refuses to believe that holy and just Athenian law will penalize him for it by making him suffer something bad. Socrates' politico-epistemic humility entails that he must be misunderstanding something.

Prior to sentencing, Socrates says that he does not know if the death penalty would be a bad thing (*Apology* 37b5–7). After sentencing he says that in fact those who voted against him will be the ones to be punished (39c3–6) and that his death "penalty" will in fact be something good (40c4–41e1). As one can expect with "the many," although they are blameworthy for intending to inflict an unjust punishment on Socrates (*Apology* 41d7–e1), they are incompetent (*Crito* 44d8–10) and are actually rewarding him with a great boon (compare Reeve 1989, 120–1, n.18).²³ This is the part of Socrates' speech that misled Xenophon into thinking that Socrates didn't actually try to get acquitted, that he actually wanted to be executed in order to escape the troubles of old age (compare *Apology* 41d4 with Xenophon *Apology* 8). Xenophon is making two mistakes simultaneously. First, he is over-emphasizing the third and apparently least important of Socrates' reasons for thinking that his execution is not a bad thing. Socrates' second reason is that death itself is not a bad thing.²⁴ But his first, main, and apparently individually sufficient reason for believing that his execution is not a bad thing is that his divine sign did not stop him from attending his trial (*Apology* 40a4–c3, 41d5–6). To this he adds his prophetic dream (*Crito* 44a10–b4). We may not take such things too seriously today, but Socrates did (see Bussanich 2013).²⁵ Xenophon's second mistake is in transposing Socrates' post-sentencing view to his pre-trial attitude in developing his legal defense strategy. Plato's Socrates reaches the conclusion that his execution must not be a bad thing only after the jury has voted for it: it wouldn't be right

for him to be punished with something bad for philosophizing, so his death must not be a bad thing.

Fully appreciating Socrates' acceptance of Athenian legal bifurcation focuses the central issue in the *Crito* properly. The question is what it is right for Socrates to do (48b11–c2), so if he and Crito cannot give a successful reply to the questions asked by the PLA, he should believe that the PLA are correct: it really is right for him to stay and be executed. Crito and the PLA are both advisors to Socrates, and in the end it is the PLA who seem to be advising the right course of action (54c8–d1). Socrates really would be authoritarian in a profoundly objectionable way to believe this if he thought that his execution was unjust and the worst thing that could happen to him. In that case he would seem to believe that the value of the individual pales in comparison with that of the collective and that it is better for innocent people to be executed than to undermine the authority of the collective to execute whomever it chooses. But since he believes that his execution is not a punishment, it is actually a good thing; his acceptance of the PLA's view that the right thing is for him to be executed entails no such view.²⁶

Commentators often miss the fact that the central issue in the *Crito* is the epistemic one of who knows what it is right for Socrates to do. Instead, commentators often think Socrates is concerned to discover whether “a good citizen must always obey the law” (McLaughlin 1976, 185) or whether there is “equality of rights between the laws and [himself]” (Momeyer 1983, 31; see also Martin 1970; Wade 1971; Farrell 1978, 173; Ober 1998, 181–2; Hanna 2007, 257; Johnson 2013, 240–1). But this is not how Socrates frames the issue. For Socrates, the primary inquiry is how to respond to the challenge posed by the PLA: what can we say to the law to justify our proposed action?²⁷ Socrates' focus here is relevantly similar to Burke's politico-epistemic humility: who am I to question the law? Socrates doesn't question the law, the law has the authority to question him, and if he has no good answer, then the issue of what is right has already been settled: it is right for him to obey the law.

Socrates compares the laws of Athens to parents (50e2–4, 51c2–3), and he repeatedly refers to Athens as “fatherland” (51a2, 5, 9; c1, 3), so we might imagine two kids sneaking out of their bedroom window after midnight and one of them wondering what they could possibly say to their parents if they happened to be right there watching them and challenging them to justify their actions. Here the obvious presumption is in favor of parents who have set a curfew for their children and don't want them wandering around outside after midnight.²⁸ If we wished, we could frame this as an issue of rights and ask whether there is equality of rights between parents and their children, but the obvious answer to that question is authoritarian, and it is not Socrates' question. Alternatively, we could frame this as an issue of parental-epistemic humility (the humility of accepting that your parents' knowledge is greater than yours) and ask who is more likely to be correct, the parents or the kids, and again, the obvious answer is authoritarian. In cases of disagreement where *x* reflexively believes that *x* ought to *F*, and *y* believes that *x* ought not to *F*, when *x* is just a kid and *y* is that kid's parent, *x* is probably mistaken and in all likelihood *y* has accurately discerned the truth: *x* really should

not be wandering around outside after midnight and should listen to and obey his or her parents. In general it is true that parents have a greater breadth and depth of experience in the world and that their judgment is more mature than that of their kids, and so in general their judgment is more likely to be correct. Parental-epistemic humility is a good analogy for Socrates' politico-epistemic humility before the law.

Given the massive geo-political struggles in recent centuries to assert the rights of individuals and to protect them from the coercive power of the modern state, it is no surprise that modern commentators on the *Crito* tend to see the issue of the equality of rights between the individual and the state and not the issue of politico-epistemic humility. Nazi Germany and the civil rights movement in the US were not in Socrates' past, so his political sensibility is not shaped by them. In cases of disagreement where *x* reflexively believes that *x* ought to *F*, and *y* believes that *x* ought not to *F*, when *x* is a private citizen and *y* is the fatherland, Socrates is not inclined to focus on the right of individuals to be free from concentration camps or lynch mobs; rather he is inclined to ask about the truth: do we have more reason to think that *x* or *y* has the correct answer to the question of what it is right for *x* to do? Socrates' approach is closer to that of a Burckian conservative because he believes that Athenian law deserves the sort of pious respect that our parents deserve.

So it is politico-epistemic humility, and not the concern to protect the rights of the individual against the coercive power of the state, that informs the "persuade or do" dilemma presented at *Crito* 50e2–51c4. In effect, "persuade or do" means "persuade or be persuaded" since, in the view of Socrates and Crito, there is very good reason to think that the laws are stating what is true when they tell you what you ought to do (the reason is developed at 49a4–54d1). If your parents tell you to have only one slice of pie for dessert, we are not inclined to ask whether they are within their rights to do so, and this is not the sort of question Socrates has in mind. Is it *right* to have only one slice of pie, and should we trust our parents to know what is right in this respect? These are the sorts of questions Socrates is asking. We might feel unfairly punished by being allowed only one slice of pie, but (a) if it is a punishment, then it is probably good for us (perhaps we are becoming gluttonous and developing unhealthy eating habits), and (b) if it is not a punishment, then we need to make the hermeneutic ascent and figure out why just one slice of pie rather than two is not actually a punishment – this is like Socrates deciding that living to only 80 and not 90 is not in fact a punishment.

This is precisely the problem I have with Hanna's attribution of "the superiority thesis" to Socrates. According to this thesis, "states and citizens are members of a moral hierarchy where states have a special, superior status in relation to their citizens."²⁹ For Socrates, the relevant superiority possessed by the state is epistemic. In response to the child's complaint, "I don't think this is fair," we are not immediately inclined to ask for the conditions under which it is permissible for a child to disobey his parents' unfair rules or to ask about the equality of rights between child and parent; rather we are inclined to point out that the child is probably a far less reliable authority on fairness than his parents. The child's

disobedience to his parents (for example sneaking an extra slice of pie) might not initially strike us as an admirable commitment to justice or a permissible assertion of equality, but instead as childish presumptuousness. It is “not holy” (51c2) to go against your mother or father, and it is even worse to go against the laws; so just as failure to persuade your parents means that you should accept that they are right about what you ought to do, similarly failure to persuade the laws means that you should accept that they are right about what you ought to do. “Persuade or do,” therefore, expresses what we might call a conservative attitude that disobedience is never justified for citizens: only successful persuasion prior to action can avoid a charge of impiety.³⁰

Socratic epistemic authoritarianism sounds profoundly servile, for not only does it subject our actions, it subjects our conscience to the authority of law. If we disagree with the law about what we ought to do, but cannot prove that we are right, then we need to relent and accept that we are like children disagreeing with their parents and hence that our own sincere beliefs about what we ought to do are mistaken. Socratic epistemic authoritarianism, therefore, seems fundamentally at odds not only with the freedom of action but also the freedom of thought and conscience that lie at the core of modern liberal democracy.³¹

But if Socrates is not a modern liberal in his attitude toward civil disobedience, if instead he has something like the politico-epistemic humility of a pre-modern Burkan conservative, then his epistemic authoritarianism is not servile. In fact, quite to the contrary, a Burkan conservative is an ever-vigilant, conscientious watch-dog on behalf of the fatherland. The corollary to, “Who am I to question the law?” is, “And who are *you* to question the law?” Socrates’ obedience to the god is not servile; rather it is compliance that insists on the hermeneutic ascent. It is presumptuous to think that a mere human being can easily discern the divine mind, so Socrates tests the oracle, assuming that a necessary condition for an acceptable interpretation is that it makes the oracle come out saying something true. Johnson overlooks this hermeneutic function of logos, and it is this oversight that allows him to conclude that Socrates has something very like the modern liberal theory of civil disobedience (Johnson 1990, 734–8). Contra Johnson, the logos does not function for Socrates as conscience functions for Thoreau, that is as a transcendent standard, precisely because Socrates is a conservative authoritarian and Thoreau is a liberal libertarian (or perhaps even anarchist, if we emphasize certain remarks). Socratic pious humility constrains logos to a hermeneutic function when it comes to the fatherland. Socrates is an authoritarian insofar as he agrees that disobedience is impious and hence wrong, but he also accepts that it would be equally impious to assume that each private citizen can easily discern what holy justice and law demands of us. Individuals are all too often misled by appearances and hence must elenctically test their beliefs about what they ought to do. Fidelity to law, in Socrates’ view, is hermeneutic: obedience to the law *properly interpreted and applied* is of the highest importance to Socrates.³²

It is precisely the burden of elenctic self-examination that allows Socrates to avoid the kind of moral blindness from which Burke suffers. Burke’s politico-epistemic humility leads him to assert that “our passions instruct our reason”

(Burke 1790, 80). Just before expressing his reluctance “to put men to live and trade each on his own private stock of reason,” he indicates that on which he believes men ought to live and trade: “instead of casting away all our old prejudices, we cherish them to a very considerable degree, and, to take more shame to ourselves, we cherish them because they are prejudices” (87). Burke urges just the kind of immunity to reason Socrates takes to be impious. It is not Burke’s conservatism, his reliance on no standard higher than that of the fatherland, that induces his blindness to the injustices of the state; rather it is his passionate prejudice that does so. Socrates rejects passion and prejudice as inducing us to false pretensions to knowledge. All of us must subject our beliefs to rational scrutiny and must be willing to admit that we do not know what we take ourselves to know.

This emphasis on critical self-scrutiny casts in a new light something that has bothered many commentators. Socrates’ rejection of the many for the few (for example *Crito* 47a2–d5) is not political elitism but politico-epistemic humility. What separates the few from the many is not that the few are political experts who must rule the many with iron fists – Socrates doesn’t even know if there are any political experts (d1–2). The point he is making is that we must not accept the view of the many simply on the grounds that it is the view of the many: the many is all too often guilty of false pretensions to knowledge. Socrates is not saying that the many needs strong rulers to keep it in line, he is saying that it needs a gadfly to sting it out of its dogmatic slumber. The humility involved is not political, but politico-*epistemic*. The many needs to find a master not in a “master/slave” sense, but in a “master/apprentice” sense so that it will admit its ignorance and search for masters – not masters to rule it, but masters to teach it about what is good, admirable, and self-beneficial, just as Socrates encourages Charmides and Critias at the end of the *Charmides* and Laches and Nicias at the end of the *Laches*. We should, then, understand Socrates’ view here as being in contrast with Cleon’s claim that “commoners are better managers of public affairs than the intelligentsia” (Thucydides 3.37.3). Socrates disagrees: one thing and one thing only qualifies someone to manage public (and private) affairs, and that is virtue. If the many are virtuous, then let them rule; if only a few are virtuous, then let those few rule.³³

This provides an all too obvious answer to something that has left commentators dissatisfied with the position taken by the PLA: the PLA do not elaborate on the acceptable procedures for persuading the laws that they are wrong. Typically commentators supply Athenian legal procedure as part of the assumed account,³⁴ but I think what we have here is a case of the man who couldn’t find his reading glasses because they were sitting on his head. What do the laws mean by “persuade” when they allow a citizen to “persuade or do” what they command? The answer is right in front of us because Socrates is seriously considering Crito’s escape plan (46b3–4), and he will take the course of action that the logos reveals to be best (b4–6); in other words, if it is right for him to escape without being acquitted or released by the Athenians, then he will make the escape attempt (48b12). What form does the logos take in this instance? Is it a formal, written appeal to the Eliaia? Is it a special motion put to the Boulē? No. It is Socrates’ usual method of question and answer (50c8–9). In other words, if Socrates’ customary method of

sincere moral inquiry reveals that it is right for him to escape, then he will escape (48b3–49a2).³⁵ The form of persuasion Socrates has in mind, then, is simply to determine whether a morally responsible interpretation and application of law to Socrates' situation permits his escape.³⁶ Clearly he does not rule out legislative or judicial forms of "persuasion," but clearly they are not his favored approaches (probably because of what he says at *Apology* 32e2–33a1).

Brown cites *Crito* 49e9 and 51e7 to prove that the relevant kind of persuasion is persuasion of a jury in court (Brown 2006, 78–9), but the immediate context refutes this interpretation. Immediately after claiming that their hypothetical escape would happen without having persuaded the city, Crito says he doesn't understand what Socrates means (50a5). To explain what he means, Socrates introduces the PLA, and he asks Crito how they could answer the serious questions the laws would ask (50a6 and following). Socrates does not ask Crito what he might have said in court to persuade the jury or what he might have said in the Assembly to pass a law explicitly protecting philosophizing. Rather he asks Crito what they might *now* say to justify their proposed escape in response to the serious case to be made for the conclusion that (a) their proposed escape is illegal and (b) they ought to obey the law.

This also solves a problem that has not received adequate attention. The end of the speech of the PLA at 50e2–51c3 seems in tension with the beginning. The speech begins in a remarkably authoritarian manner (for example comparing citizens to slaves at 50e4), explicitly mentioning the inequality of the parent-child relationship in which the child may not even "answer back" (51a1) when corrected by a parent. But at the end of the speech, the PLA appear to allow their children to "answer back" because they explicitly allow children to persuade the laws and the fatherland regarding "what is just by nature" (51c1–3). The tension is worse if we think that the form of persuasion Socrates has in mind is political coalition-building to pass or rescind some measure in the Assembly. Children voting on their proper bedtime hardly seems consistent with the authoritarian view expressed at the beginning of the speech.

The answer to this puzzle begins by accepting that Socrates is no Burkian when it comes to the collective will of the *dēmos*: he is the gadfly of the *dēmos*, an attitude it would be impious to take toward one's father or one's fatherland. Clearly Socrates recognizes a standard whose authority transcends that of the *dēmos*; "positive" authority has gotten a number of things profoundly wrong in the past (for example the group trial of the generals), and it might do so again in the future. Contrary to the view of Brickhouse and Smith, Socrates can easily accept that the *dēmos* might proscribe the practice of philosophy or even mandate impiety (Brickhouse and Smith 1989, 152–3). What Socrates could not countenance is the thought that the fatherland might do the same. If someone suggested that the fatherland did proscribe the practice of philosophy, Socrates would have the same reaction he would if an oracle of Apollo appeared to proscribe the practice of philosophy: out of epistemic humility he would make the hermeneutic ascent. To persuade the *dēmos* he "answers back" and opposes their unholy, unjust, and illegal action. To persuade the laws and the fatherland he does not "answer back"

because the commands of the fatherland are all legal, just, and holy; to think otherwise would be impious. Instead of answering back, he does precisely what he is now doing with Crito: morally responsible interpretation and application of law, where “law” can include, but is not restricted to, what we today call “positive law.” To persuade the laws regarding what is just by nature is not to show the laws that they are currently unjust – that would be to “answer back” to the laws, which citizens may not do. Rather, to persuade the laws is to show that we would be committing an injustice if we obeyed the apparent command of the law and that therefore the apparent command of the law is not the real command of the law.³⁷

From the perspective of Socrates’ politico-epistemic humility, it would be impious to suspect that the appeal to “what is just by nature” (51c1–3) entails that nature is a standard that transcends the fatherland, as if the fatherland could countenance a monstrous perversion of nature.³⁸ By contrast, I think it is clear that from Socrates’ perspective, the appeal to nature relies on the assumption that no genuine command of the fatherland could violate “what is just by nature.” Children voting on their bedtime on the assumption that their judgment is superior to that of their parents would be impious, but children responsibly interpreting a bedtime rule established by parents need not be impious and need not require the children impiously to substitute their own judgment for their parents’ by appealing to a transcendent standard. Imagine a situation in which one child accidentally cuts himself shortly before the bedtime commanded by the parents. The other children might piously reason as follows:

Mom and dad said we had to be in bed by 10 pm sharp – they even said “no exceptions.” However, Joe cut himself getting ready for bed, and if we take care of him properly, then we will miss the 10 pm bedtime. After deliberation we have decided that what is just by nature is to take care of Joe’s wounds and to miss the 10 pm bedtime. Therefore, because mom and dad would never command us to commit a monstrous injustice, it follows that the apparent bedtime command – that is, get into bed by 10 pm without taking care of Joe’s wound – is not the real bedtime command.

“Persuade or do” fits this case perfectly: the children bear a burden of proof, appealing to what is “just by nature,” to show that they are right to stay up after 10 pm. This refusal to do what the 10 pm rule appears to command (the “positive bedtime command,” we might call it) does not show that their parents issued a rule that is a monstrous perversion of nature (that is, one that demands neglect of Joe’s injury); it is rather a morally responsible interpretation and application of the bedtime command. They might even imagine what they could say to their parents if they were talking to them on the phone at the very moment they were considering whether to attend to Joe’s injury or put him to bed injured. In this hypothetical situation, they would have a very good answer to their parents’ question of why they were deliberately going to get to bed later than 10 pm. The children have agreed to an interpretation they have good reason to think their parents would endorse. This violation of the positive bedtime command is not a case of impious

irreverence for the authority of the parents, nor is it a matter of substituting their own judgment of what is good in the place of the judgment of the governing authority – it is not “answering back” to their parents. In fact, quite to the contrary, their violation of the letter of the positive bedtime command evinces an attitude of pious reverence and full compliance. Accepting the responsibility to interpret the bedtime rule properly relies on the pious assumption that the parental rule is just and holy.

Perhaps it is not clear to us that morally responsible interpretation and application of law counts as persuading the law of what is just by nature, but this is partly because of the odd context of hypothetically carrying on a dialogue with the laws themselves. Recall the disdain for orators and books that Socrates expresses on the grounds that orators and books are incapable of saying anything other than what they have already said in response to intelligent questions (*Protagoras* 328e5–b1). The fiction of the PLA in the *Crito* is designed to overcome this limitation.

We might call this a kind of “originalism” in legal interpretation since Plato is allowing the laws to speak for themselves. One branch of modern originalism is called “intentionalism,” which asks, “What was the *original intent* of the lawgivers?” However, because there may have been multiple lawgivers, and they may not all have had the same intent when they gave the law, another branch of originalism asks, “What was the *original meaning* of the law when it was first passed?” One problem with originalism in both varieties, however, is that the particular circumstances and case before us may not have been foreseeable to the original lawmakers or relevant to the original meaning of the law (see Dworkin 2006, chapter 5). For example, Solon may never have considered whether the laws against impiety and atheism applied to people like Socrates engaging in his particular sort of philosophizing. Aristotle has a way of dealing with this problem that makes him a kind of originalist: we might call him a “counter-factual originalist” because he asks not about the original intent of the lawgiver or the original meaning of the law; instead he asks what the original lawgiver *would have said* about the case before us *if he had known* about it when he was crafting the original law (*Nicomachean Ethics* 5.10.1137b21–4). Socrates’ position is similar, although more fantastic: Socrates imagines the laws themselves being able to think, speak, and answer questions.

What unites Socrates with Burke is the authoritarianism of rejecting as impious the thought that one’s fatherland might command an injustice. What separates Socrates from Burke is originalism with respect to legal interpretation. Burke’s adamant reliance on “prejudice” is a considered commitment to obeying our patriotic feelings rather than inquiring into what would actually preserve or conserve our patrimony. Socrates would see such a commitment to patriotism as an impious commitment to appearances that illegitimately absolves us of the duty we have to examine, critically and self-critically, how we ought to live. But his position is not that we need to substitute our own judgment, for example regarding the “public good,”³⁹ in place of the authority of law. Socrates’ position is exactly what we would expect of a mystagogue: legal interpretation does not require any specialist knowledge, like historical or biographical knowledge of the people who

were involved in passing the original legislation or the circumstances in which the law was originally implemented; rather legal interpretation is something that any morally responsible individual may – and must – do, provided that they are appropriately self-critical and have the epistemic humility to try above all to avoid taking themselves to know things they do not know. Hence I disagree with Euben's claim that Socrates "knew well enough that too much philosophy makes bad politics" (Euben 1997, 217). Philosophy makes for good politics, although it may not always appear that way to people who are unreflectively content with appearances and who fail to take up their responsibility to inquire into how things really are.⁴⁰

Notice that my view is not "proceduralist." I am not attributing to Socrates the view that the justice of a decision follows from the justice of the procedures resulting in the decision (a sort of "due process" view; see, for example, Kraut 1984, 166–71; Ober 2011, 174–5). Socrates obeys the law because he piously accepts that Athenian law is holy and just. He does not think that every polis has laws that are worthy of such reverence (compare *Crito* 53b3–5 with 53d1–54a3), and he does not cite procedural errors to justify his low view of some laws. If Socrates had been condemned to death in Thessaly, then by the time the discussion reached 45a3 Socrates may have had one foot out the prison door.

So we can fairly say that Socrates is radically authoritarian since he virtually sacrifices his freedom of conscience to the superior judgment of the fatherland, than which no higher authority can exist. But we may also say that Socrates is radically anti-authoritarian since he insists that every citizen has not only the right but the duty to question the legality of any official pronouncement by asking whether it is holy and just.

If Socrates learned of our modern acceptance of "legal positivism," he might at first feel sorry for us on the grounds that our laws must be as bad as Thessalian laws since they fail to earn our pious respect. He might also think that we are the servile ones, not he, since we willingly obey our laws not because they command us to do what is holy and just, but simply because someone managed to get them passed. And finally, he might also think that we are the objectionably authoritarian ones, not he, since on our view the law may indeed command us to do or to suffer unholy and unjust things and hence we implicitly accept that we are ruled not by a power that earns our respect, but merely by one that is able to secure our compliance. Whereas for Socrates the authority of the fatherland is legitimately compared to the authority of parents over their children, so that the bond uniting us with our fellow citizens under law is familial (see his *philō*, φιλω, at *Apology* 29d3), he might think that the closest analogy for the authority of modern law is that of an alien conqueror, so that we have no bond with the law or with our fellow citizens, only alienation and subjugation.

Conclusion

Brickhouse and Smith turn out to be almost completely right to argue that Socrates consistently maintains a position of submission to civil authority in both the *Crito* and *Apology*, despite his appearances of defiance to the contrary. Where

they go wrong is in overlooking the fact that Socratic politico-epistemic humility demands the hermeneutic ascent. Humble conservatives who ask, “Who am I to question the law?” insist on also asking, “And who are *you* to question the law?” Based on past elenctic experience, Socrates is confident he can prove that those who believe that law must be sacrificed for justice (for example Crito) or that justice must be sacrificed for law (for example Callixenos)⁴¹ are guilty of having a false pretension to knowledge. He can do this either by showing them that their belief is false or by showing that they cannot successfully defend their beliefs on cross-examination as would someone with knowledge. Socrates is willing to defy the law in the sense that he is willing to do things that will get him arrested, tried, convicted, and executed – so we might say that he is willing to defy *positive* law – but only because he believes that in such cases the law has been misinterpreted or misapplied by people with false pretensions to knowledge.

This also means Santas turns out to be almost completely right. We cannot rightly approach the law without responsibly interpreting and applying it. When confronted with people in power who have the impiety to believe that the law may countenance unjust or unholy action, “civil disobedience or conscientious refusal” may be called for. However, for conservatives who love their fatherland, “civil disobedience” is not the most accurate label, since disobeying those who misinterpret or misapply the law is not a way of disobeying the law, it is a way of disobeying or resisting those who would pervert the law to commit injustice. Santas goes wrong when he (impiously, as Socrates would see it) assumes that such defiance requires a stance superior to the law. On the contrary, an utterly authoritarian view like Socrates’ that accepts no higher authority than law, and according to which the law itself places upon each citizen the burden of closely scrutinizing state agents and holding them to the standards of justice expressed in law, makes it the responsibility of each citizen to hold himself ready conscientiously to refuse or disobey the false pretensions to knowledge of those who would pervert law, that is pointedly to ask state officials, “Who are *you* to question the law?”

“Obey law or justice, choose one or the other because you can’t always have it both ways” is the command we face under the modern liberal theory of civil disobedience. But when we look to the *Apology* and *Crito* to find Socrates’ choice we are disappointed. Socrates speaks as if he can always have it both ways. The problem is not that Socrates hasn’t thought through his position in sufficient depth, or that he says things he doesn’t really believe, the problem is that we approach these texts with assumptions that are alien to Socrates. For Socrates, it is profoundly impious to think that a command of the fatherland is unjust. Epistemically you are not on a par with your fatherland – if you are Athenian and not Thessalian – and so if it seems to you that your fatherland has commanded you to do something unjust or unholy, then either you have misunderstood what your fatherland commands you to do, or you have misunderstood what holy justice demands, or you have misunderstood both. In any case, the proper response is the self-scrutiny Socrates always urges (for example *Euthyphro* 15c11–e2; *Apology* 38a5–6; *Crito* 46b4–c6, 48b11–c2; *Laches* 201a2–7; *Charmides* 176a1).

I have repeatedly emphasized the historical and cultural differences that separate us from Socrates and lead us to misunderstand him. This should not be taken to suggest that we relegate Socrates to the dustbin of history. Quite to the contrary, as with the epistemic value of his distinctive method (which I defended in the previous chapter), I think that the kind of view Socrates has is something we would be well served to take seriously today. It seems to me that we are mistaken if we think that Socrates is a precursor to Thoreau or Gandhi but that we are right on the mark if we associate Socrates with Rev. Dr. Martin Luther King Jr.

Before mentioning St. Augustine's view that an unjust law is not a law in his "Letter from Birmingham Jail," Martin Luther King makes a simple but very powerful argument for his defiance of civil authority.

We have waited for more than 340 years for our constitutional and God given rights. . . . Perhaps it is easy for those who have never felt the stinging darts of segregation to say, "Wait." But when you have seen vicious mobs lynch your mothers and fathers at will and drown your sisters and brothers at whim; when you have seen hate filled policemen curse, kick and even kill your black brothers and sisters . . . when you suddenly find your tongue twisted and your speech stammering as you seek to explain to your six-year-old daughter why she can't go to the public amusement park that has just been advertised on television, and see the tears welling up in her little eyes when she is told that Funtown is closed to colored children, and see the depressing clouds of inferiority begin to form in her little mental sky, and see her begin to distort her little personality by unconsciously developing a bitterness toward white people . . . then you will understand why we find it difficult to wait.

(King 1963a, 155–6)

As King gives it, this is a "broken-promise" argument that holds another not to a transcendent standard, but to a standard they have already accepted. We need look no farther than the "equal protection of the law" clause of the 14th Amendment to the US Constitution, and the "all men are created equal [and] are endowed by their Creator with certain unalienable rights" clause of the Declaration of Independence, to see that King is appealing not to a transcendent promise, but only to the promises implied by the rights and liberties inherited by all Americans. King stood courageously against the authorities and was willing to do things that got him arrested, but not because he thought his own wisdom was superior to American law. He correctly judged that the entrenched prejudice of the people who created the Jim Crow system caused them impiously to attribute monstrous injustices to their American fatherland, something that a critical and self-critical interpretation of American law will avoid.

The protest for which King was arrested resulted from the breaking of a very specific promise: local merchants promised to remove their racist signs. King was not, like Thoreau, relying upon the dictates of his own conscience as a standard transcendent to that of American law; nor was he, like Gandhi, relying on his own

religious or cultural values as standards transcendent to those of an alien culture. He was holding local merchants to their own word.

Another clear example of King's Socratic – not Burkian – conservative politico-epistemic humility is in his “I Have a Dream” speech. Near the end of the speech, King quotes the line, “land of the pilgrim’s pride” (King 1963b, 105) from the song “America” (also known as “My country ’tis of thee”), written by Samuel Francis Smith in 1831. The context makes it clear that King interprets this song as affirming the liberty and equality of all Americans without regard to skin color or alleged race. To white racists, this is a perverse interpretation of the song since the pilgrims were white northern Europeans who immigrated to this country voluntarily. To include the descendants of black Africans who immigrated involuntarily to this country in “the pilgrim’s pride” is striking. Probably this was not part of Samuel Francis Smith’s original intent in writing the lyrics (although his conversion to Bahá’í could be taken as evidence that it might have been), and probably it was not part of the original meaning as sung in Massachusetts in the 1830s. But only the perpetuation of entrenched prejudice could cause us to reject King’s interpretation of the song. Here King is united with Socrates in his humble and pious refusal to accept that a proper understanding of our traditional, inherited values and ideals could attribute to the fatherland a monstrous miscarriage of justice.

Notes

- 1 ἡ οὕτως εἴ σοφὸς ὥστε λέλθῃν σε ὅτι μητρός τε καὶ πατρὸς καὶ τῶν ἄλλων προγόνων ἀπάντων τιμιώτερον ἐστὶν πατρίς καὶ σεμνότερον καὶ ἀγιώτερον καὶ ἐν μείζονι μοίρᾳ καὶ παρὰ θεοῖς καὶ παρ’ ἀνθρώποις τοῖς νοῦν ἔχουσι, καὶ σέβεσθαι δεῖ καὶ μᾶλλον ὑπέκτειναι καὶ θωπεύειν πατρίδα χαλεπαίνουσιν ἢ πατέρα, καὶ ἡ πείθειν ἢ ποιεῖν ἂν κελεύῃ, καὶ πάσχειν ἐάν τι προστάτῃ παθεῖν ἡσυχίαν ἄγοντα, ἐάντε τυπτεσθαι ἐάντε δεῖσθαι, ἐάντε εἰς πόλεμον ἄγῃ τρωθησόμενον ἢ ἀποθανούμενον, ποιητέον ταῦτα, καὶ τὸ δίκαιον οὕτως ἔχει, καὶ οὐχὶ ὑπεικτέον οὐδὲ ἀναχωρητέον οὐδὲ λειπτέον τὴν τάξιν, ἀλλὰ καὶ ἐν πολέμῳ καὶ ἐν δικαστηρίῳ καὶ πανταχοῦ ποιητέον ἂν κελεύῃ ἢ πόλις καὶ ἡ πατρίς, ἡ πείθειν αὐτὴν ἢ τὸ δίκαιον πέφυκε· βιάζεσθαι δὲ οὐχ ὅσιον οὔτε μητέρα οὔτε πατέρα, πολὺ δὲ τούτων ἔτι ἤττον τὴν πατρίδα;
- 2 Brickhouse and Smith (1989, 142); see “undesirably authoritarian,” Brown (2006, 73). Contrary to Brickhouse and Smith (2013, 75), “the very notion of authentic civil authority” does not require the view taken by the PLA in the *Crito*. It is possible to accept the authority of law over one’s own right to autonomy and simultaneously accept the authority of god over law, just as we can accept the authority of the local magistrate and at the same time accept that the authority of the king trumps that of the local magistrate.
- 3 εἴ μοι πρὸς ταῦτα εἵποιτε: ‘ὦ Σώκратες, νῦν μὲν Ἄνθρωπ’ οὐ πεισόμεθα ἀλλ’ ἀφίμεν σε, ἐπὶ τούτῳ μέντοι, ἐφ’ ᾧ τε μηκέτι ἐν ταύτῃ τῇ ζητήσῃ διατρίβειν μηδὲ φιλοσοφεῖν: ἐάν δὲ ἄλλως ἔτι τοῦτο πράττω, ἀποθανῇ’ – εἰ οὖν με, ὅπερ εἶπον, ἐπὶ τούτοις ἀφίετε, εἵποιμι’ ἂν ὑμῖν ὅτι ‘ἐγὼ ὑμᾶς, ὧ ἄνδρες Ἀθηναῖοι, ἀσπάζομαι μὲν καὶ φιλῶ, πείσομαι δὲ μᾶλλον τῷ θεῷ ἢ ὑμῖν, καὶ ἔωσπερ ἂν ἐμπνέω καὶ οἶός τε ὦ, οὐ μὴ παύσωμαι φιλοσοφῶν καὶ ὑμῖν παρακελευόμενός.’
- 4 See Congleton (1974), Young (1974), Brown (1992), Miller (1996), Weiss (1998), Harte (1999), and Colaiaco (2001). Against this view I agree with much of what is argued in Brickhouse and Smith (2013).

- 5 This chapter introduces an unfortunate ambiguity. So far, I have used the liberal/conservative dichotomy to indicate the contrast between open-mindedly questioning as opposed to deferentially obeying traditional nomoi. In modern discussions of civil disobedience, the liberal/conservative dichotomy refers to Enlightenment liberalism, which emphasizes the rights and immunities possessed by individuals *vis à vis* the state (see Ober 1998, 181–4; Brickhouse and Smith 2004, 217–25; Ober 2011, 156–7; Johnson 2013, 239–41). Hopefully the context will make my meaning clear in each case.
- 6 This fits the modern definitions of civil disobedience I’ve seen. The *Encyclopedia of Crime and Punishment* is most explicit in making an appeal to a “higher duty” or a “higher cause” definitive of civil disobedience (s.v. “civil disobedience”). The *Encyclopedia of Crime & Justice* makes the appeal to morality definitive of civil disobedience (s.v. “civil disobedience”). The *Encyclopedia of American Civil Rights and Liberties* makes the “presumed injustice” of the law in question a necessary condition for civil disobedience, and as examples it cites (1) Thoreau’s defense of conscience when “the demands of conscience conflict with the dictates of law” and (2) “Natural law theorists” who appeal to a “higher law,” suggesting that Martin Luther King should be included in this latter group (s.v. “civil disobedience”). *West’s Encyclopedia of American Law*, 2nd ed., defines civil disobedience as a “protest against some form of perceived injustice” and says that those engaged in civil disobedience “usually appeal to some form of higher law, whether it be the divine law of god, NATURAL LAW, or some form of moral reasoning” (s.v. “civil disobedience”). The *Encyclopedia of the American Constitution*, 2nd ed., claims that feelings provide the “fundamental justification” for civil disobedience, that is some people feel that a law is unjust and feel bound “by philosophy, religion, morality, or some other principle” to disobey the offending law (s.v. “civil disobedience”). In my view, *Black’s Law Dictionary*, 8th ed., gives the best definition because it includes not only those with moral objections to laws, but more generally those who reject the “legitimacy” of certain laws in the fold of civil disobedients (s.v. “civil disobedience”). This definition allows civil disobedience against law (for example segregation law) to be justified by law (for example the 14th Amendment). See also Harris who provides a useful survey of definitions of civil disobedience (Harris 1989, 1–15).
- 7 Some scholars are entirely opposed to historical comparisons on the grounds that they necessarily entail confusion and anachronism. To the contrary, Burnyeat (1982) and Sorabji (2007) are instructive.
- 8 Johnson points out three important weaknesses in the views published before 1990 (Johnson 1990, 730). I think the same weaknesses affect Hanna’s more recent view.
- 9 I think it is difficult to square this with Kahn’s view that in the *Crito* Socrates never takes a stand on the possibility of morally justified defiance of law (Kahn 1989).
- 10 The concept of a “reasonably just” society is central to mainstream theorizing regarding civil disobedience. See C. Cohen 1971, 44 (and 6 for the phrase “reasonably just”). Compare also Murphy 1971, 1; M. Cohen 1972, 287–93; and Wozzley 1976, 325. More recently the importance of this concept has been underscored by Smith’s reliance on it in the introduction to his overview of work on the duty to obey the law (Smith 1996, 465).
- 11 πρὸς ἑμαυτὸν δ’ οὖν ἀπιὼν ἐλογιζόμεν ὅτι τούτου μὲν τοῦ ἀνθρώπου ἐγὼ σοφώτερός εἰμι: κινδυνεύει μὲν γὰρ ἡμῶν οὐδέτερος οὐδὲν καλὸν κάγαθὸν εἰδέναι, ἀλλ’ οὗτος μὲν οἶεταί τι εἰδέναι οὐκ εἰδώς, ἐγὼ δέ, ὥσπερ οὖν οὐκ οἶδα, οὐδὲ οἶομαι.
- 12 Hence, Socrates could use both “constructive” and “non-constructive” *elenchi* with them.
- 13 So I agree that Socrates’ defiance is not a willingness to disobey the law (see, for example, Brickhouse and Smith 2013, 76–7). But we cannot accurately understand Socrates’ position without seeing that it involves the hermeneutic ascent regarding law, god, and justice.

- 14 The Thirty were not usurpers; they were installed by the *dēmos* (Xenophon *Hellenika* 2.3.2; Hammond 1986, 443), so their legitimacy is just as obvious as the fact that they soon exceeded their legitimate authority. So Socrates' defiance of the Thirty is defiance of a legitimate regime, but it is defiance of their unjust, unholy, and therefore illegal orders (contra Brickhouse and Smith 2013, 78).
- 15 This is why I avoid the issue of whether Socrates was a champion of democracy (e.g. Santas 1979) or of democratic republicanism (e.g. Villa 2001) or of oligarchy (e.g. Stone 1988). What Socrates explicitly cares about is holy justice, so he cares more about whether the city has good laws and its citizens are virtuous than about the structure of the regime that writes, executes, and applies laws (see *Crito* 52e5–6). Hence, I am inclined to agree with Kraut (1984, chapter 7). Socrates' apparent lack of regard for political structures may seem naïve (since how laws are made, executed, and applied obviously affects how good the laws are), but his concern for the souls of the citizens may be appropriate: good people with bad social structures may have better laws than bad people with good social structures.
- 16 Johnson (1990, 724–5), and see also the “strict compliance principle” of Brickhouse and Smith (2004, 220).
- 17 Weiss is correct that Socrates relies on his own judgment when considering whether he has been commanded to do anything unjust but does not sufficiently combine this with Socrates' epistemic humility (Weiss 1998, 7–15).
- 18 μὴ δὴ τοῦθ' ὑμῖν ἔατε λέγειν, ὥς γέγονεν, ἀλλ' ὥς ἔστι δίκαιον γίνεσθαι, μηδ' ὥς ἕτεροι δικάσαντες ἐκύρωσαν ἐκεῖνα, ἀλλ' ὑμᾶς αὐτοὺς ἀξιοῦτε διδάσκειν ὥς δικαιοτέρ' ἡμῶν περὶ τοῦδε λέγουσιν. εἰ δὲ τοῦτο μὴ δυνήσονται, οὐχὶ καλῶς ἔχειν ὑμῖν ἡγοῦμαι τὴν ἐτέραν ἀπᾶτην κυριωτέραν ποιήσασθαι τῆς ὑμετέρας αὐτῶν γνώμης.
- 19 οὐ γὰρ ἐπὶ τούτῳ κἀθηται ὁ δίκαστής, ἐπὶ τῷ καταχαρίζεσθαι τὰ δίκαια, ἀλλ' ἐπὶ τῷ κρίνειν ταῦτα: καὶ ὁμώμοκεν οὐ χαριεῖσθαι οἷς ἂν δοκῇ αὐτῷ, ἀλλὰ δικάσειν κατὰ τοὺς νόμους.
- 20 Compare Cohen de Lara (2007) and Allen, who argues that for Socrates “a law or decree that enjoins injustice is in some strict sense *ultra vires*” (Allen 1972, 565).
- 21 Weiss falsely assumes that the “absolute authority of the city over the citizen” is incompatible with “the authority of a man's carefully reasoned principles” (Weiss 1998, 112; see also Colaïaco 2001, 199–202). If the city's authoritative commands must be interpreted and applied only by carefully reasoned principles, then the two are compatible.
- 22 ὅσα γε τὰ νῦν ἐμοὶ δοκοῦντα, 54d5–6.
- 23 Hence, I disagree with Johnson's view that Socrates would be willing to carry out an unjust command as long as doing so does not require him to commit an injustice (Johnson 2013, 241). Socrates will not commit an injustice when he drinks the hemlock, and from this he infers that it must not be an unjust command that he drink the hemlock: his death is not a bad thing, so it isn't a punishment, so it isn't an unjust punishment.
- 24 It is interesting that he considers death as either (1) a lack of associates combined with a lack of consciousness, or (3) the presence of both associates and consciousness, ignoring the intermediate possibility of (2) a lack of associates but the presence of consciousness, that is becoming a ghost, unable to move on, and yet unable to make meaningful contact with others.
- 25 Hence Johnson's paradox (Johnson 2013, 248) does not arise: Socrates and his jailor are not justly obeying a command to carry out an unjust sentence, they are justly implementing god's plan to reward Socrates. Even if the jailor believes that death is a bad thing, and hence that Socrates is being unjustly punished, the principle of legal bifurcation entails that he is justly performing his duty and not that he is complicit in the jury's crime. Legal bifurcation does not apply to the war crimes commanded by Nazi officers.
- 26 The role of Socrates' *daimonion* in his reasoning should make us reluctant to generalize his position to that of all wrongly convicted people, but his position is certainly compatible with the view that punishment is a benefit to the guilty (compare Protagoras 326c6–e1, Gorgias 478d6–7).

- 27 Young (1974), Weiss (1998), and Harte (1999) have all argued that Socrates does not actually believe the arguments he puts in the mouth of the PLA. However, Brown is right to point out that Socrates himself does, in his own voice, express the view that he has agreed to obey the laws of Athens (Brown 2006, 73–4). In addition, if Socrates is doing exactly what he says he is doing, that is inquiring with Crito into how they should answer the PLA (*Crito* 50a6–8), then he believes these arguments at the very end of the dialogue when he and Crito have shown themselves to have no good answer (see 50a6–8 and 54d2–7).
- 28 My use of examples with children is not intended to skew the reader's intuitions in favor of my view, but rather to adjust modern expectations to Socrates' culture. The authority of parents over their children, and the claim of parents to the respect and solicitude of their children, was quite robust (see MacDowell 1978, 84–92; Dover 1974, 246, 274–5, 302–3).
- 29 Hanna (2007, 251); see especially 257–9. Similar views are also defended by Martin (1970), Wade (1971), Woozley (1971), Dybikowski (1974), and Vlastos (1974, 1991, 286).
- 30 See Irwin (1986, 400–4), Brickhouse and Smith (2004, 222), and Kim (2011, 84–92).
- 31 Perhaps this accounts for Socrates' willing participation in the siege of Potidaea, which ended in, among other horrors, cannibalism (Thucydides 2.70.1; see Waterfield 2009, 52). However, this incident does not liken Socrates to Ivan Karamazov's Turks (Dostoevsky 1976, 219–20). The point of the siege was to induce surrender (compare Thucydides 4.69.3–4) and not "to kill every Potidaean: man, woman, and child" (Brickhouse and Smith 2013, 78). It will be difficult to find hoplite service morally permissible while finding it to be morally impermissible to participate in a siege. Distinguishing "combatants" from "non-combatants" might help, but I think that this distinction is more at home in conventional warfare between modern nation-states than in fifth-century hoplite warfare between *poleis*.
- 32 Contra Ellis (1968).
- 33 There can be no doubt that Socrates would favor the sort of aristocratic government envisioned for the *kallipolis* in the *Republic* (see for example Kraut 1984, 10; Ober 1998, 10; Schofield 2006, 315–6) insofar as the "aristocrats" are by definition the virtuous citizens. However, a Socratic "aristocracy" is incompatible only with forms of government that do not demand of each citizen the morally responsible interpretation and application of law. This is compatible with many forms of government, both oligarchic and democratic.
- 34 See Woozley (1979, 29–30), Kraut (1984, chapter 3), Reeve (1989, 117–20, 172–3), Johnson (1990, 733), Brickhouse and Smith (2004, 222), Kim (2011, 84–92).
- 35 I agree with Johnson (2013, 360, n.35).
- 36 Johnson is correct to argue that for Socrates, engaging in politics is "not what most people then or now think it is . . . 'politics' for him was nothing other than engaging himself and others through conversation in the pursuit of knowledge about virtue and about 'how one should live'" (Johnson 2013, 235).
- 37 This resolves the possible contradictions in *Apology* 28d5–e6: Socrates claims that one must remain at one's post when stationed by one's commanding officer, and he claims that he did just this at Potidaea, Amphipolis, and Delium, but we know that he retreated at Delium (*Laches* 181b1–4, *Symposium* 220e7–221e1). Perhaps Laches ordered the retreat. If not, then perhaps Socrates believes that retreating counts as remaining at one's post because the soldier has a duty to interpret and apply the order to remain at his post reasonably under the circumstances (compare Cicero's view of the duty to obey promises at *On Duties* 3.92–5).
- 38 There is a strong case to be made that Socrates' military service would have involved him in committing what today might be considered atrocities (Anderson 2005). We do not know Socrates' beliefs about these military ventures, but if he failed to question their justice, and to raise his voice in the *Ekklēsia*, then I would consider this a moral

failing on Socrates' part (see Griswold's account of some of the things that Socrates' political action did *not* involve, Griswold 2011, 336).

39 See McLaughlin (1976, 196).

40 See Warren (2003).

41 Socrates' defiant rejection of the group trial for the generals, as well as his defiance of the command to arrest Leon of Salamis, suggests that Brickhouse and Smith go too far in denying that Socrates would rely on "his own private moral judgments" to question or defy an order from his commanding officer (Brickhouse and Smith 2013, 78). If his commanding officer exceeds his authority (for example, in ordering Socrates to commit an unjust and unholy atrocity), Socrates will obey his Ephebic Oath and holy justice rather than obey a fool who presumes to know what he cannot possibly know.

Conclusion

Section 1: Socrates mystagogos

As I interpret Socrates, his single most revealing admission occurs not in the *Apology*, but in the *Crito*: “Not just now, but always have I been the sort of person who is persuaded by nothing other than the logos that seems best to me upon consideration” (46b4–6). “Consideration” here translates *logizomenō* (λογιζομένῳ), and so the centrality of the logos is doubly emphasized. The divine mission he describes in the *Apology*, his humble remarks regarding his non-divine wisdom, his defiance of the jury in the name of god and justice, his gadfly comment and his assertion that the unexamined life is not worth living for a human being – none of these are as central or fundamental to Socrates’ philosophical activity as his life-long commitment to following the logos that seems best to him upon consideration. The fact that he never stops trying to bring others along with him in following the logos is primarily what makes him a kind of mystagogue.

If I am right about this, then the substantial amount of attention that has been given to solving the puzzle of how Socrates can (allegedly) claim to know that he knows nothing (see Fine 2008 on the history of this puzzle) is fundamentally misdirected. There is nothing paradoxical, or even puzzling, about following the logos that seems best upon consideration, even when that means recognizing one’s own need for an epistemically more mature grasp of virtue and friendship (chapter 2). Nor is there anything paradoxical, fallacious, or puzzling in relying on clear sign reasoning as a means to an epistemically more mature grasp of such things (chapter 3). The lexically fastidious among us may feel vexed at Socrates’ terminological untidiness, but this needn’t be taken to indicate a problem of philosophical substance. The worry about self-referential inconsistency on Socrates’ part has to do not with his claims to knowledge but rather to his life-long commitment to following the logos: (1) if he follows the logos because the logos tells him to follow the logos, then his commitment would seem to be vacuously circular, but (2) if he follows it because something else tells him to follow it, then he would seem to be more committed to that further thing than to the logos.

In various ways, the work of Aristophanes (chapter 1), Geach (chapter 2), and Burke (chapter 4) pose precisely this challenge for Socrates. For Aristophanes, following the logos may be well and good in many contexts, but when it urges us

to talk of “chickennesses” or to beat our own mothers, the logos has become silly or dangerous and people of good sense know to stop following it. For Geach, a commitment to following the logos that is as thoroughgoing as Socrates’ is stultifying: rational inquiry couldn’t get going unless we begin with and persist in maintaining commitments that derive from something other than endorsement by the logos. For Burke, rational inquiry can be edifying, but unless it is guided and held in check by passions and prejudices that derive not from the logos but from our communally shared inheritance of rights and liberties, then it can be terribly destructive and is shunned by every good patriot and true politician.

The facile answer to this challenge is to assert that failure to follow the logos amounts to a presumption to knowledge. I see no indication that this would be Socrates’ reply if this challenge were posed to him explicitly. Socrates does have commitments that derive not from the logos but from tradition or custom (nomos): Socrates accepts folk mythology without question and without naturalistic attempts to explain away their fantastic elements (chapter 2). This is not an isolated exception to an otherwise strict rule. In his clear sign reasoning, Socrates is quite catholic in which assertions he will use in order to rig a situation where a claim will either have the clear ring of truth or run up against a clear sign that it is false (chapter 3). Sometimes, as with *Crito*, he relies on claims he has tested many times before, and so he rests these claims solidly on the logos; other times he maintains claims without any indication that he is following the logos in doing so. His willingness to assert that lions lack knowledge and yet are courageous does not rest on any critical examination whatsoever; these claims derive simply from what “everybody says.” Socrates is happy to go along with the crowd and say what everybody else says simply because they do say it. He will seriously consider a challenge to what everybody says, but only if the challenge is sincerely believed and is not purely *ad hoc*.

These two necessary conditions, however, are not jointly sufficient. It may be a disappointment to some that Socrates restricted his inquiry to virtue. History has shown that critical and self-critical examination of human health and illness, for example, can free us from numerous superstitions and “folk remedies” that sometimes do more harm than good. While some of the materialistic speculations of Socrates’ predecessors and contemporaries may have strained credulity, history has shown that traditional medical credulity ought not only to be strained, but outright broken in many instances. Socrates, however, seems not to have participated in the straining of tradition-bound medical credulity.

He did, however, participate quite vigorously in the straining of tradition-bound ethical credulity. After all, if it is a matter of Athenian common sense that when it comes to the health of the body we pay more attention to the qualified doctor or trainer than to the opinions of the average Athenian in the agora, how much more important is it therefore to look for a qualified expert when it comes to virtue of the soul (*Crito* 47a13–48a7; cf. *Laches* 184d5–186a2 and *Charmides* 156d1–157c6)? This is only an analogy, and yet it isn’t hard for Socrates to find further inducement to dissatisfaction with the banal simplicities of the average Athenian in the agora when it comes to virtue: flawed as he was, Homer’s Achilles

is enduring proof that we ought take nothing more seriously than the question of whether we are doing something just or unjust, whether we are performing the deeds of a good or a bad person (cf. *Iliad* 18.94–126, partly quoted and partly paraphrased by Socrates at *Apology* 28b3–d5).

Notice three things about this approach of Socrates'. First, it encourages us to follow the *logos* when investigating justice, courage, temperance, and so on, but it does so without providing a general defense of following the *logos*. In fact, the quotation from Homer regarding Achilles comes very soon after Socrates explicitly rejects following the *logos* on the issue of whether the sun and moon are gods or are stone and dirt (*Apology* 26c7–e4). Socrates has no general defense of his practice of following the *logos*; he has nothing more than a particular defense of following it when it comes to specific questions he has about virtue. He does not, for example, argue that *logos* reaches the truth in a greater percentage of cases than *nomos*, nor does he argue from some third, independent, and more authoritative source (for example *muthos*, μῦθος; *themis*, θέμις; *theos*, θεός; *daimonion*, δαιμόνιον; *nous*, νοῦς; *gnome*, γνώμη) that *logos* is to be preferred to *nomos*. Such an approach is suitable for an expert who teaches the subject matter of his expertise, or for a preacher (or poet like Ion) whose enthusiasm gives him the zeal to reveal divine truths to others. On the contrary, Socrates' argument is piecemeal, focusing just on a particular issue at hand, as is perfectly suitable for a mystagogue whose humble goal is to help his *mustēs* put one foot in front of the other in what seems upon reflection to be the right direction.

This willingness to follow a particular *logos* without justifying it on the basis of a general claim that wherever the *logos* leads we must follow might sound epistemically unacceptable to some. This judgment may depend upon one's favored epistemological theory, for there is absolutely nothing wrong with such a position from the perspective of a coherentist with respect to justification. In fact, such a move is at least in theory acceptable to a Cartesian foundationalist, since in the fourth paragraph of his Third Meditation Descartes himself relies on the certainty of particular claims he perceives clearly and distinctly while simultaneously doubting the general claim that whatever he perceives clearly and distinctly is true (cf. Kenny 1968, 689; Van Cleve 1979, 67). Socrates has a method but not a methodology, and a wide variety of methodologies can countenance his method.

Second, notice that Socrates' approach to defending his practice of following the *logos*, even if it occasionally leads to conclusions that strain the credulity of the average Athenian in the agora, rests on no other standards than those accepted by the average Athenian in the agora. As far as Athenian cultural norms go, no source is more recognized, mainstream, or canonical than Homer's portrayal of Achilles. The same is true with Socrates' choice of religious validation. In defense of his religious orthodoxy Socrates could have sought support from Egyptian sources; he could have argued that (1) Egyptian religion is more authoritative than Greek religion (compare Herodotus 2.52–8, *Timaeus* 21e1 and following) and that hence (2) any Egyptian priests who testified on his behalf ought to persuade the jury. He didn't do this. He sought no other source than the oracle at Delphi. His final plea before the jury cast their votes appeals to no higher standard

than the oath the jurors swore at the beginning of their year of service (*Apology* 35c2–7). Socrates relies on the authority of common sense to induce people critically and self-critically to examine certain elements of common sense when such an examination really does seem worthwhile upon reflection. He relies on customary credulity to undermine credence in custom, at least in certain specific regards. He does not impose a foreign or novel standard; he holds Athenians to no higher/other standards than those they already accept, as is proper for a mystagogue.

Third, notice that Socrates' piecemeal approach to defending his practice of following the logos is double-edged: not only does it offer a carrot, but it simultaneously wields a stick. On the one hand, as I just pointed out, it trades on particular views and motivations Socrates has every right to assume his interlocutors share, views and motivations that easily get even people as decidedly resistant as Miles to begin to follow the logos (see *Apology* 24c9–25a11). Socrates trades on the personal and social sanctions against special pleading. Laches quickly applies these sanctions when Nicias has the audacity to reject as false what “everybody agrees” to be true (*Laches* 197a1–5). Laches thinks Nicias is guilty of special pleading, rejecting the courage of lions for the sole purpose of defending his own proposal (*Laches* 197c2–4). In chapter 3 I gave a slightly sophisticated analysis of Socrates' procedure here and drew on the concept of an *ad hoc* modification to a scientific theory, but this modern analysis has an analog in Athenian culture: at the beginning of a year of service each juror swore that he would render his decision without being swayed by enmity or goodwill toward the defendant – an obviously dangerous form of special pleading (Demosthenes *Against Aristocrates* 23.97). Socrates is right to assume that in his culture there are many situations where an interlocutor's resistance to following the logos will redound to his own discredit. This can make an interlocutor appear ridiculous or pathetic (see, for example, *Euthyphro* 15e3–16a4; *Hippias Minor* 369a3–c8), but it can also make him appear criminally delinquent (see *Apology* 25d2–3).

Athenian culture in particular, and Greek culture in general, is often said to be “agonistic” because contests were so prominent in their history. To the extent that this is true, it is also true that Athenian culture can be called “dikastic” because *judging* contests is as important in Athenian culture as the competitions themselves. Pindar, for example, portrays it as a further honor to a victor in a chariot race that his crown was conferred upon him by “scrupulous [*atrekēs*, ἀτρεκής] Aitolian chief judges” (*Olympian* 3.12). Here “*atrekēs*” refers to someone who is precise or exact. The idea is that these venerable judges fully deserve the reverence in which they are held; they are sticklers for the truth, and so an award conferred by them is beyond all doubt of its justice: these are judges who are never swayed by enmity or goodwill toward a competitor.

A second example of the importance of accuracy in judging that is immune to illegitimate swaying is in no less a traditional authority than the shield of Achilles as described by Homer. In one part, the shield depicts a scene of judgment in a homicide dispute. Despite the fact that people are showing favor to one side or another (*Iliad* 18.501–2), the prize of two gold talents awaits the judge who renders the “straightest judgment” (*dikēn ithuntata*, δίκην ἰθύντατα, 508). The

“straightest” judgment is not swayed to either side by favoritism or enmity, just as an Athenian juror swore he would judge in his year of service.

If the average Athenian appreciates “scrupulous” judging of chariot races and the “straightest judgment” in criminal trials, then by following the logos in his investigations of the conventional virtues, Socrates is also following *nomos*. This gives him effective replies to Aristophanes’ championing of common sense, Geach’s championing of uncritical and un-self-critical assertion, and Burke’s championing of passion and prejudice in favor of community standards. While Socrates and Aristophanes might share a laugh together at the lengths to which some people go in trying to give naturalistic accounts of myths, both will stop laughing when it comes to how we raise our children, and Socrates will quote passage after passage from conventional wisdom urging Aristophanes to agree that nothing is more important for our children than paying critical and self-critical attention to how they may live as good and honorable people. While Socrates would agree with Geach that very often we may confidently stand by uncritical and un-self-critical assertions, he would insist that any decent Athenian citizen should see that – given their cultural traditions and commitments – you really do look a bit ridiculous if you can’t give a coherent account of your conventional beliefs, at least when it comes to such important issues as virtue and living well. While Socrates would agree with Burke that community standards command our utmost pious reverence, it is nevertheless clear to any decent Athenian citizen that this very pious reverence demands that we refuse to put our own words in the mouth of the city by assuming that what appears or feels to us to be commanded by the city is in fact what the city commands.

No wonder there have been enduring conflicts over the proper interpretation of Socrates: he is a conservative liberal. The conservative prejudice against liberals – evident in the old charges against Socrates made famous by Aristophanes (cf. *Apology* 18a7–19a7) – is well-founded because Socrates is committed to following the logos in certain important matters, and encouraging others to do the same, even if this provokes young people to question their elders and to engage in novel inquiries, refusing to rest content with what has been handed down to them by their own folk traditions. And yet at the very same time, and for the very same activity, Socrates is right to propose that he be awarded free meals in the Prytaneum (*Apology* 36d5–9): what greater or more conservative service could there be to a city than to spend virtually every waking hour provoking and encouraging citizens to take their own culture’s values seriously rather than passing them off as empty bromides.

Section 2: Socrates and Martin Luther King

Aristotle explicitly raised the question of whether the virtue of a good person is the same as the virtue of a faithful citizen (*Politics* 3.4.1276b16–18). If we fail to understand Socrates’ mystagogic mission, and we fail to see how that makes him a decidedly conservative liberal, then we might be tempted to see in Socrates’ last days Plato’s portrait of the tragic tension between the two. If we stood with

Thoreau we would be tempted to view the death of Socrates as a vivid case of the exclusive disjunction: be a good person or be a good citizen, make your choice because you cannot always have it both ways. From this perspective, the execution of Socrates is a dramatic example of a man of conscience who stood his ground when the government was attempting to do what was in his sincere belief unjust and unholy. As happens too often, the lone individual is crushed by state power. Socrates could have saved his skin only by knuckling under and compromising his commitment to holy justice. As Thoreau might see it, Socrates could have been a good and obedient citizen, but only by sacrificing his very humanity.

It might seem that in order to reject this view, in order to see a harmony between the virtues of a good person and a good citizen, we must take a conservative attitude. Burke shows a way to do this. Burke confronts head-on the fact that French society does not operate equally in the economic interest of all citizens, and he indicates his view of what it is for members of the poor class to be and remain good citizens.

To be enabled to acquire, the people, without being servile, must be tractable and obedient. The magistrate must have his reverence, the laws their authority. The body of the people must not find the principles of natural subordination by art rooted out of their minds. They must respect that property of which they cannot partake. They must labour to obtain what by labour can be obtained; and when they find, as they commonly do, the success disproportioned to the endeavour, they must be taught their consolation in the final proportions of eternal justice. Of this consolation, whoever deprives them, deadens their industry, and strikes at the root of all acquisition as of all conservation. He that does this is the cruel oppressor, the merciless enemy of the poor and wretched.

(Burke 1985, 245–6)

Good citizens revere not only their constitution in a broad sense, but revere their positive laws and their actual current magistrates. Good order depends on this. If magistrates or laws appear to the poor to be oppressive, for example restricting their power to bargain for better wages, safer working conditions, and so on, then the poor must be encouraged to look for their reward in the after-life rather than prove intractable or disobedient to their earthly superiors. Society may not, but God certainly does, reward the one who is both a good person and a good citizen by managing to be “tractable and obedient – without being servile” (although I’m not sure how they manage such a feat).

A Burkian conservative, therefore, may offer a mixed verdict. Socrates did bow to the will of the *dēmos* in accepting the death sentence, and in this respect a conservative will see him as admirable not only as a citizen but also as a human being. However, insofar as Socrates refused to bow to the will of the *dēmos* on the issue of whether to continue his philosophical activity, he was a bad person precisely because he was a defiant, and hence bad, citizen. From Burke’s perspective, the true oppressor and enemy of the poor is the one who makes them

question the justice of the *status quo* or makes them discontented with their lot. So with Socrates we might say that his defiance of the *dēmos* reveals his deep character flaw: his arrogant belief in his own superiority to the wisdom of the collective. Perhaps if he had been humbler, more tractable and obedient, then through the patient pursuit of change through political means he might have made a real difference, for example Socrates might have been able to get legislation passed that explicitly protected each Athenian citizen in the right of an individual trial or the right to philosophize publicly. A conservative might conclude that his execution as a social enemy reveals his vice as a citizen and thereby his vice as a human being.

A third alternative between Thoreau and Burke is opened up if we reject the assumption they share, that is that being duly arrested, tried, sentenced, and punished – especially when the punishment is death – marks one as a social enemy and a bad citizen. We must not assume that the will of the majority – “or those who succeed in making themselves accepted as the majority,” as Mill reminds us (Mill 1859 [1991], 8) – is the same as the will of the collective, especially not if we wish to conserve the traditional inherited rights of citizens. A true conservative is a watch-dog on behalf of the community’s values and will oppose the king himself if the king acts tyrannically. Arguably, Sophie Scholl’s execution by guillotine in 1943 marks her not as an enemy of Germany but as one of Germany’s greatest defenders and heroes (Dumbach and Newborn 2007, 201–22). No doubt she was an enemy of the National Socialist German Workers’ Party (NSDAP), which had managed to make itself accepted as the majority, but one might argue that the NSDAP was more a betrayal than an expression of traditional German values. Rather than thinking that Scholl’s execution shows she was a bad citizen and hence a bad person, we might instead think that her admirable personal traits show her to have been an admirable citizen and hence that her execution is more of an honor – a badge of courage – than a disgrace.

Similarly, we might think that Socrates’ execution displays the unity of the virtues of the good person and the good citizen. There are clear signs that when Socrates was executed Athens was, to put it mildly, a “society under stress” (Waterfield 2009, 140). The execution of Socrates was not the *dēmos*’ finest moment, and perhaps Socrates was right to portray it more as a betrayal than an expression of genuine Athenian values.

If this view of Socrates is right, then a suitable modern comparison is Rev. Dr. Martin Luther King Jr. A year before the arrest that resulted in his “Letter from Birmingham Jail,” intractable and disobedient students boycotted segregated businesses in Birmingham, Alabama (Williams 1987, 182). Feeling the economic pinch, many business owners began to desegregate lunch counters, bathrooms, and drinking fountains, but the local magistrate cited them for violations of the building code. What was a good person and a good citizen to do? Fearing anarchy and chaos, many urged compliance with local law and the patient pursuit of change through political means. They were unhappy, therefore, when King came to town and proved to be decidedly intractable and disobedient to city officials. In his “Letter,” King made it clear that the time for patience was long past. It did not

escape his notice that 1963 happened to be exactly 100 years after President Lincoln issued the Emancipation Proclamation. A century seemed to King to be quite long enough to await freedom with patience. Who were the good people and who were the good citizens in this situation? Were the tractable and obedient businessmen dutifully placing “Whites Only” and “Colored Only” signs in windows, on restroom doors, and at water fountains being good citizens? Does a good person or a good citizen treat fellow citizens with such disregard for their dignity if the local magistrate threatens them with legal action for non-compliance? Was the Jim Crow system an expression or a betrayal of American values?

It seems to me that despite their many important differences, Socrates and King would agree that the good person and the good citizen are one and the same because both refuse obedience to magistrates who falsely presume themselves to know what they could not possibly know, that is that their fatherland demands unholy and unjust acts. Critical and self-critical reflection is needed in order to overcome the influence of passion and prejudice and to make the progress toward truth that is so vitally important to a *mystagōgos*.

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